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Attorneys for Plaintiffs and Petitioners

Electronically
FILED

By Superior Court of California, County of San Mateo
ON 03/28/2023
By /s/ Jimenez, Vanessa
Deputy Clerk

Electronically
RECEIVED

3/22/2023

CLERK OF THE SUPERIOR COURT
SAN MATEO COUNTY

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN MATEO

BRAD BARUH, KATHY BARUH,
CHARLES BOLTON, ELDRIDGE GRAY,
JOHN LOCKTON, DAVID MARQUARDT,
PAUL ROCHESTER, ARTHUR
STROMBERG, CHARLES SYERS,
individually and on behalf of all others
similarly situated,

Plaintiffs and Petitioners,

v.

TOWN OF HILLSBOROUGH and DOES 1-
100, inclusive,

Defendants and Respondents.

Case No. 16CIV02284

**STIPULATED MOTION TO ADVANCE
HEARING ON PLAINTIFFS' MOTION
FOR ATTORNEYS' FEES,
REIMBURSEMENT OF EXPENSES, AND
SERVICE AWARD;
[PROPOSED] ORDER**

Date:
Time:
Dept.:

Plaintiffs and Defendant, by and through their counsel of record, hereby stipulate and
move as follows:

WHEREAS, on August 24, 2022, this Court entered an Order Preliminary Approving
Class Action Settlement and Directing Notice to Class ("Preliminary Approval Order").

WHEREAS, the Preliminary Approval Order set a Fairness Hearing for final approval of
the settlement and related requests to occur on March 20, 2023, and required that papers
supporting final approval, including papers requesting attorneys' fees, reimbursement of expenses,

1 and Class Representative's service awards, be filed no later than sixteen (16) calendar days before
2 the Fairness Hearing.

3 WHEREAS, Plaintiffs filed all necessary papers for final approval, including their motion
4 for attorneys' fees, reimbursement of expenses, and Class Representative's service awards, on
5 February 21, 2023, which is more than sixteen calendar days before the March 20, 2023, Fairness
6 Hearing.

7 WHEREAS, on March 20, 2023, the Court held the Fairness Hearing on final approval of
8 the settlement as provided in the Preliminary Approval Order and in the notice to the class.
9 Pursuant to the Settlement Agreement, Preliminary Approval Order, and Notice to the Class, all of
10 those Class Members who submitted timely objections were permitted to speak at the hearing.
11 One such objector appeared and did so.

12 WHEREAS, at the Fairness Hearing, the parties were informed that a final approval order
13 could not be entered because the motion for attorneys' fees, reimbursement of expenses, and Class
14 Representative's service awards had been re-scheduled by the clerk's office to be heard on August
15 14, 2023, and the Court therefore continued the Fairness Hearing.

16 WHEREAS, at Fairness Hearing, the Court invited the parties to move to advance the
17 hearing date on the motion for attorneys' fees, reimbursement of expenses, and Class
18 Representative service fees awards, so that a final approval order and judgment could be entered.

19 **IT IS HEREBY STIPULATED AS FOLLOWS:**

20 1. The Parties move that the continued Fairness Hearing and the Plaintiffs' motion for
21 attorneys' fees, reimbursement of expenses, and Class Representative's service fee awards be
22 advanced from the currently set date of August 14, 2023, so that this matter may be finally
23 adjudicated and a final approval order and judgment may be entered;

24 2. The Parties request that the continued Fairness Hearing and the hearing of the
25 motion for attorneys' fees, reimbursement of expenses, and Class Representative's service fee
26 awards be set for **April 3, 2023, at 3:00 p.m.**

27 3. This stipulation and the Court's order thereon will be posted on the settlement
28 website at www.hillsboroughclassaction.com.

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IT IS SO STIPULATED.

DATED: March 21, 2023

WALKER, HAMILTON & KEARNS, LLP

By: /s/ Beau R. Burbidge
Beau R. Burbidge
Attorneys for Plaintiffs

DATED: March 21 , 2023

BEST, BEST & KRIEGER, LLP

By: /s/ James Gilpin
James Gilpin
Attorneys for Defendant

*****[PROPOSED] ORDER ON NEXT PAGE*****

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[PROPOSED] ORDER

The Court, having reviewed the stipulated motion by the parties and finding good cause for the relief requested, **HEREBY ORDERS:**

1. The Parties motion to advance the continued Fairness Hearing and the hearing of Plaintiffs’ motion for attorneys’ fees, reimbursement of expenses, and Class Representative’s service fee awards is **GRANTED**;

2. The continued Fairness Hearing and the hearing of the Parties’ motion for attorneys’ fees, reimbursement of expenses, and Class Representative’s service fee awards is advanced to **April 3, 2023, at 3:00 p.m.**; and

3. The parties shall immediately post their stipulation and this Court’s order on the settlement website at www.hillsboroughclassaction.com.

IT IS SO ORDERED.

Electronically

SIGNED

By /s/Healy, Nicole

03/23/2023

DATED:

By: _____
Judge of the Superior Court