

1 Guy B. Wallace (SBN 176151)
gwallace@schneiderwallace.com
2 Mark T. Johnson (SBN 76904)
mjohnson@schneiderwallace.com
3 SCHNEIDER WALLACE
COTTRELL KONECKY LLP
4 2000 Powell Street, Suite 1400
Emeryville, CA 94608
5 (415) 421-7100; (415) 421-7105 (Fax)

6 Linda M. Dardarian (SBN 131001)
ldardarian@gbdhlegal.com
7 Andrew P. Lee (SBN 245903)
alee@gbdhlegal.com
8 Katharine L. Fisher (SBN 305413)
kfisher@gbdhlegal.com
9 GOLDSTEIN, BORGEN, DARDARIAN & HO
155 Grand Avenue, Suite 900
10 Oakland, CA 94612
(510) 763-9800; (510) 835-1417 (Fax)

11 Adam B. Wolf (SBN 215914)
awolf@pwcklegal.com
12 Catherine Cabalo (SBN 248198)
ccabalo@pwcklegal.com
13 PEIFFER WOLF CARR & KANE
14 4 Embarcadero Center, 14th Floor
San Francisco, CA 94111
15 (415) 766-3592; (415) 402-0058 (Fax)

16 *Attorneys for Plaintiffs and the Certified Classes*

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN JOSE DIVISION**

20 ABDUL NEVAREZ and PRISCILLA NEVAREZ,
21 on behalf of themselves and all others similarly
situated, and SEBASTIAN DEFRANCESCO,

22 Plaintiffs,

23 vs.

24 FORTY NINERS FOOTBALL COMPANY, LLC,
25 a Delaware limited liability company, et al.,

26 Defendants.

Case No.: 5:16-cv-07013-LHK (SVK)

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING UPDATED CLAIMS
REVIEW AND DISTRIBUTION
DEADLINES**

Dept: Courtroom 8
Before: Hon. Lucy H. Koh

1 **THIS STIPULATION** is hereby entered into by and between Plaintiffs Abdul Nevarez,
2 Priscilla Nevarez, and Plaintiff Sebastian DeFrancesco on behalf of themselves and all others similarly
3 situated, and Defendants Forty Niners Football Company LLC, Forty Niners SC Stadium Company
4 LLC, Forty Niners Stadium Management Company LLC, the City of Santa Clara and the Santa Clara
5 Stadium Authority (collectively referred to as the “Parties”), by and through their respective counsel of
6 record, as follows:

7 **WHEREAS**, in order to effectuate the relief provided by the Settlement Agreement, the
8 Parties’ agreed (ECF No. 423) and the Court ordered (ECF No. 424) that the Settlement Administrator
9 carefully review for validity the claims for monetary damages that individuals submitted by the June
10 28, 2020 deadline, and that such review include a request for additional documentation, and an
11 evaluation thereof, for any claims that were incomplete, unclear, suspicious, or otherwise lacked
12 sufficient information regarding events attended or barriers experienced;

13 **WHEREAS**, the Settlement Administrator completed the agreed-upon initial review and, by
14 September 4, 2020, sent a letter to claimants whose claims had been flagged as suspicious, vague, or
15 otherwise incomplete to request information necessary to determine the validity of the claims,
16 notifying claimants that responses must be postmarked or submitted electronically by October 5, 2020;

17 **WHEREAS**, due to the scope and complexity of the claim validity review as well as
18 unforeseen circumstances arising from the ongoing Covid-19 pandemic, including increased workloads
19 coupled with decreased staff availability, the Settlement Administrator’s final claim validity review
20 has been delayed, and the Settlement Administrator was not able to meet the anticipated December 18,
21 2020 award distribution date;

22 **WHEREAS**, the Parties continue to agree that it is in the Damages Class Members’ best
23 interest to ensure the Settlement Administrator’s review for validity is careful, defined, and thorough in
24 order to avoid dilution of the awards owed to Damages Class Members and to ensure that valid claims
25 are approved, such that a modest extension to the distribution schedule to accommodate the Settlement
26 Administrator’s review, in the face of unforeseen delays, is appropriate.

27 **NOW, THEREFORE, IT IS HEREBY STIPULATED** as follows:
28

1 Subject to the Court’s approval, the Parties agree that the claim-validity review and award-
 2 distribution deadline shall be modified as outlined below:

	Prior Deadline	Modified Deadline
3 Settlement Administrator’s completion of review 4 of claims for validity	November 20, 2020	January 15, 2021
5 Damage Award distribution	December 18, 2020	February 15, 2021
6 Post-Distribution Accounting to be filed with 7 Court	January 8, 2020	March 5, 2021

10 Dated: December 30, 2020

Respectfully submitted,

GOLDSTEIN, BORGEN, DARDARIAN & HO

13 /s/ Linda M. Dardarian

Attorneys for Plaintiffs and the Certified Classes

15 Dated: December 30, 2020

RANKIN, SHUEY, RANUCCI, MINTZ, LAMPASONA &
REYNOLDS

18 /s/ Maria Lampasona

Maria Lampasona

Attorneys for Defendants

FORTY NINERS FOOTBALL COMPANY LLC, FORTY
 NINERS SC STADIUM COMPANY, LLC, FORTY
 NINERS STADIUM MANAGEMENT COMPANY, LLC
 CITY OF SANTA CLARA, SANTA CLARA STADIUM
 AUTHORITY

SIGNATURE ATTESTATION

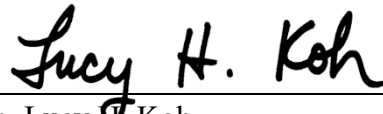
The e-filing attorney hereby attests that concurrence in the content of the document and authorization to file the document has been obtained from each of the other signatories indicated by a conformed signature (/s/) within this e-file document.

Dated: December 30, 2020

/s/ Maria Lampasona

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 31, 2020



Hon. Lucy H. Koh
United States District Judge