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13 Attorneys for Defendant  
HP INC. f/k/a HEWLETT-  
PACKARD COMPANY

14 UNITED STATES DISTRICT COURT  
15 CENTRAL DISTRICT OF CALIFORNIA  
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17 ANNE WOLF, individually, and on  
18 behalf of other members of the general  
19 public similarly situated,

20 Plaintiff,

21 v.

22 HEWLETT PACKARD COMPANY,

23 Defendant.  
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Case No. 5:15-cv-01221-BRO-GJS

**JOINT STATUS REPORT**

Judge: Hon. Beverly Reid O'Connell  
Courtroom: 14

1 Pursuant to the Honorable Court’s April 20, 2017 Order (Dkt. No. 108), Anne  
2 Wolf (“Plaintiff”) and Defendant HP Inc., formerly known as Hewlett-Packard  
3 Company (“Defendant”) (collectively, the “Parties”), by and through their respective  
4 attorneys of record, hereby submit the following Status Report regarding the Class  
5 Settlement:

6 On or about April 4, 2017, the Parties attended a mediation with the Honorable  
7 Louis M. Meisinger ret. Of ADR Services. After a long day of negotiations, the  
8 parties agreed in principle to the general terms of settlement, and entered into a  
9 Memorandum of Understanding. Following the Mediation, the Parties held further  
10 negotiations through Judge Meisinger as to additional terms pertinent to the class-  
11 settlement. At this stage, all material terms have been agreed upon. Plaintiff’s  
12 counsel drafted a long-form settlement agreement and circulated it to Counsel for  
13 Defendant. Defendant’s counsel has made revisions and circulated a proposed  
14 redline. Plaintiff is currently considering these changes, which are primarily non-  
15 substantive. The Parties anticipate having a final settlement agreement in place by  
16 the end of the month. The settlement in this case also will encompass the individual  
17 claims as well as a portion of the class claims asserted in the following currently  
18 pending actions: *Fehrenbach v. Hewlett Packard Company*, No. 16CV2297 MMA  
19 MDD (S.D. Cal. Sept. 12, 2016) (“*Fehrenbach*”); *Romero v. HP Inc.*, No. 5:16-cv-  
20 05415-LHK (N.D. Cal. Sept. 21, 2016) (“*Romero*”); and *Sergi v. HP, Inc.*, No. 8:16-  
21 cv-02225 (C.D. Cal. Dec. 20, 2016) (“*Sergi*”).

22 As part of the Settlement terms, Plaintiff has requested confirmatory discovery  
23 from Defendant, and from third party retailers who carried class products during the  
24 class period, for the purpose of gathering as much data as possible regarding the  
25 identity and contact information of class members. Plaintiff served Defendant with  
26 additional discovery requests on April 10, 2017, which asked Defendant to identify  
27 all retailers who carried class products during the class period, as well as all UPC  
28 codes for class products. Defendant has produced the UPC codes. Defendant has

1 been given an extension to respond to the other requests by May 17, 2017. The  
2 Parties have further agreed that all written discovery, including third-party discovery,  
3 must be propounded by Plaintiff no later than thirty (30) days after the long-form  
4 settlement agreement is executed.

5 Plaintiff has also contacted KCC, the claims administrator in this case, and had  
6 lengthy follow up calls with their representatives to assist in designing a notice plan.  
7 Plaintiff provided Defendant with a quote from KCC as to a proposed notice plan.  
8 Defendant has commented on the notice plan, and the parties have met and conferred  
9 further on the topic. These discussions are ongoing.

10 In addition, Plaintiff served numerous subpoenas on third party retailers who  
11 carried class products during the class period, in order to request name and contact  
12 information of purchasers of said products. Plaintiff contends that the purpose of  
13 these informational requests is to ensure that Plaintiff has sufficient information to  
14 send direct-mail notice to the Class to notify members of the settlement, and to ensure  
15 both 1) the best notice practicable, and 2) the highest level of class participation  
16 possible. Plaintiff sent subpoenas to the following entities:

- 17 • Fry's Electronics
- 18 • Best Buy
- 19 • Circuit City
- 20 • Ebay
- 21 • Microelectronics
- 22 • Office Depot
- 23 • Office Max
- 24 • Staples
- 25 • Costso
- 26 • Target
- 27 • Walmart
- 28 • Amazon.com

1 Plaintiff will be sending an additional subpoena to any other entities not named, but  
2 identified in Defendant's Discovery responses.

3 Plaintiff has received objections from all of the aforementioned entities.  
4 Plaintiff has provided additional information to the entities to aid in the search for  
5 documents and data responsive to the subpoenas. Some of the entities have agreed  
6 to produce data and documents. Others have taken a hard line approach and are  
7 asserting customer privacy as a basis for objecting, requiring a Court Order. Plaintiff  
8 anticipates that counsel may need to move to compel the production of this data for  
9 some of the third party retailers. Should these efforts prove necessary, this process  
10 will take several months before responsive documents/data can be acquired under the  
11 timeline set forth under Local Rule 37.

12 Class Counsel strongly believes that this data and documentation is essential  
13 to providing class notice under the Settlement. Class Counsel has a strong desire to  
14 have this data prior to filing the preliminary approval papers.

15 Given these circumstances, the parties jointly agree that it would be in the best  
16 interests of both sides and in particular for the Class Members, for the deadline for  
17 preliminary approval to be set in September of 2017. Therefore, the Parties propose  
18 a filing deadline of September 25, 2017 for Plaintiff's Motion for Preliminary  
19 Approval. Concurrently with the filing of Plaintiff's Motion for Preliminary  
20 Approval, Plaintiff will also move to amend the operative complaint in this action to  
21 include pertinent claims raised in *Fehrenbach*, *Romero*, and *Sergi* that are subject to  
22 the class-wide settlement, and will dismiss *Fehrenbach*, *Romero*, and *Sergi* without  
23 prejudice.

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Dated: May 12, 2017

Respectfully submitted,  
DRINKER BIDDLE & REATH LLP

By: /s/ Michael J. Stortz  
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Michael J. Stortz  
Erin E. McCracken  
Marshall L. Baker

Attorneys for Defendant  
HP INC. f/k/a HEWLETT-PACKARD  
COMPANY

Dated: May 12, 2017

LAW OFFICES OF TODD M. FRIEDMAN

By: /s/ Adrian R Bacon  
\_\_\_\_\_  
Todd M. Friedman  
Adrian R. Bacon

Attorneys for Plaintiff  
ANNE WOLF

**Attestation**

Pursuant to L.R. 5-4.3.4(a)(2)(i), I, Adrian R Bacon, attest that all signatories identified above, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: May 12, 2017

LAW OFFICES OF TODD M. FRIEDMAN

By: /s/ Adrian R Bacon  
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Todd M. Friedman  
Adrian R. Bacon

Attorneys for Plaintiff  
ANNE WOLF

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**CERTIFICATE OF SERVICE**

Filed electronically on this 12<sup>th</sup> day of May, 2017, with:

United States District Court CM/ECF system

Notification sent electronically on this 12<sup>th</sup> day of May, 2017, to:

Honorable Judge Beverly Reid O’Connell  
United States District Court  
Central District of California

Michael J. Stortz  
Tracy S. Combs  
Marshall L. Baker  
DRINKER BIDDLE & REATH LLP

s/Adrian R. Bacon  
Adrian R. Bacon, Esq.