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12 Plaintiff's Attorney

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 14 **UNITED STATES DISTRICT COURT**  
 15 **CENTRAL DISTRICT OF CALIFORNIA**

16 MARK SPIVEY, on behalf of himself  
 17 and all others similarly situated,

18 Plaintiffs,

19 v.

20 SCHELL & KAMPETER, INC. d/b/a  
 21 DIAMOND PET FOODS,

22 Defendant.  
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Case No. 8:20-CV-01788-JVS

**JOINT NOTICE OF SETTLEMENT  
 AND REQUEST TO STAY ALL  
 DEADLINES**

Complaint Filed: September 18, 2020  
 Honorable James V. Selna

1 TO THE CLERK OF THE ABOVE-REFERENCED COURT:

2 Pursuant to Local Rule 16-15.7, Plaintiff Mark Spivey and Defendant Schell &  
3 Kampeter, Inc., d/b/a Diamond Pet Food (collectively “the Parties”), by and through  
4 their respective counsel of record, respectfully submit this Notice of Settlement. The  
5 Parties are pleased to inform the Court that they have reached a class-action settlement  
6 that will fully resolve the claims raised in Plaintiff’s complaint. The parties are  
7 finalizing a term sheet and working on a settlement agreement, including the exhibits  
8 to the settlement agreement, the notice program, and various aspects of settlement  
9 administration. The Parties intend to move for preliminary approval of the settlement  
10 agreement in a parallel action pending in the Western District of Washington entitled  
11 *Shaw v. Costco Wholesale Corporation, and Schell & Kampeter, Inc.*, Case No. 2:20-  
12 cv-01620-RAJ, and will do so by April 15, 2021. Once Plaintiff Spivey and his claims  
13 from this action are included in the *Shaw* amended complaint and the amendment of  
14 the complaint is permitted by the Court, Plaintiff has agreed to dismiss this action  
15 with prejudice.

16 The Parties previously requested, and this Court granted, a stay of litigation  
17 pending mediation. The prior stay expires on March 9, 2021. The Parties now jointly  
18 request that the Court extend the stay until April 15, 2021 (the date upon which the  
19 parties will move for preliminary approval in *Shaw*).

20 Dated: March 2, 2021

Respectfully submitted,

21  
22 /s/ Jasmine W. Wetherell  
23 David T. Biderman (SBN 101577)  
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*/s/ Alex Straus*  
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**ECF CERTIFICATION**

The filing attorney attests that she has obtained concurrence regarding the filing of this document from the signatories to this document.

Dated: March 2, 2021

By: *s/ Jasmine W. Wetherell*

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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MARK SPIVEY, on behalf of himself  
and all others similarly situated,

Plaintiffs,

v.

SCHELL & KAMPETER, INC. d/b/a  
DIAMOND PET FOODS,

Defendant.

Case No. 8:20-CV-01788-JVS

**[PROPOSED] ORDER GRANTING  
JOINT REQUEST TO STAY ALL  
DEADLINES**

Complaint Filed: September 18, 2020  
Honorable James V. Selna

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**[PROPOSED] ORDER**

Having reviewed the Joint Notice of Settlement and Request for Stay of All Deadlines, the Court finds good cause to extend the stay until April 15, 2021.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE JAMES V. SELNA  
UNITED STATES DISTRICT JUDGE

BLOOD HURST & O'REARDON, LLP