

1 Daniel M. Hattis (SBN 232141)
Paul Karl Lukacs (SBN 197007)
2 Che Corrington (admitted *pro hac vice*)
HATTIS & LUKACS
3 11711 SE 8th Street, Suite 120
Bellevue, WA 98005
4 Telephone: (425) 233-8650
Facsimile: (425) 412-7171
5 Email: dan@hattislaw.com
Email: pkl@hattislaw.com
6 Email: che@hattislaw.com

7 [Additional counsel listed under signature line]
Attorneys for Plaintiffs and the Class

8
9 Shon Morgan (SBN 187736)
QUINN EMANUEL URQUHART & SULLIVAN, LLP
865 S. Figueroa Street, 10th Floor
10 Los Angeles, CA 90017
Telephone: (213) 443-3000
11 Facsimile: (213) 443-3100
Email: shonmorgan@quinnemanuel.com

12
13 *Counsel for Defendants Cellco Partnership
d/b/a Verizon Wireless and Verizon Communications Inc.*

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16

17 TERESA MACCLELLAND, *Et Al.*,
For Themselves, As Private Attorneys
18 General, and On Behalf Of All Others
Similarly Situated,

19 Plaintiffs,

20 v.

21 CELLCO PARTNERSHIP
D/B/A VERIZON WIRELESS; and
22 VERIZON COMMUNICATIONS INC.,

23 Defendants.
24

Case No. 3:21-cv-08592-EMC

**STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL**

[Hon. Edward M. Chen]

STIPULATION OF DISMISSAL

1
2 Plaintiffs Teresa MacClelland, Karen Umberger, Scott Willits, Michael Branom, Molly
3 Brown, Michael Carney, Tim Frasch, Patricia Gagan, Anna Gutierrez, Linda Jenkins, Augustus
4 Johnson, William Kaupelis, Marilyn Kaye, Janette Lisner, William Eric Lough, David
5 Massaro, Louise Monsour, Darleen Perez, Gabrielle Pozzuoli, Valerie Reed, Bruce Schramm,
6 Kerry Showalter, John St. Jarre, Gloria Stern, Edna Toy, Teresa Toy, and Vanessa West, for
7 themselves, as private attorneys general, and on behalf of all others similarly situated
8 (collectively, Plaintiffs) and Defendants Cellco Partnership d/b/a Verizon Wireless and Verizon
9 Communications Inc. (collectively, Verizon) hereby STIPULATE and AGREE as follows:

10 WHEREAS, Plaintiffs filed this class action on November 3, 2021 (Dkt. No. 1), and
11 Plaintiffs’ operative pleading is the Second Amended Complaint filed on July 20, 2022 (Dkt.
12 No. 58);

13 WHEREAS, a nationwide Settlement Agreement involving parallel claims was filed,
14 granted preliminarily approval and granted final approval in the proceeding captioned *Dean*
15 *Esposito, et al. v. Cellco Partnership d/b/a Verizon Wireless*, Docket No. MID-L-6360-23, in
16 the Superior Court of the State of New Jersey for Middlesex County (*Esposito*);

17 WHEREAS, the *Esposito* court granted preliminary certification of a settlement class
18 and then later granted final certification of a settlement class;

19 WHEREAS, the Effective Date of the *Esposito* settlement was September 20, 2024—
20 the date on which the last remaining appeal of the order granting final approval was withdrawn;

21 WHEREAS, Section X.D. of the Settlement Agreement requires that this *MacClelland*
22 civil action be dismissed with prejudice no later than seven days following the Effective Date;

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 NOW, THEREFORE, Plaintiffs and Verizon respectfully request that this Court enter
2 an order dismissing the Second Amended Complaint and this civil action with prejudice.

3
4 Dated: September 26, 2024

5 Respectfully submitted,

6 DENITTIS OSEFCHEN PRINCE, P.C.

QUINN EMANUEL
URQUHART & SULLIVAN, LLP

7 By: /s/ Stephen P. DeNittis

By: /s/ Shon Morgan

8 Stephen P. DeNittis, Esq.
9 (admitted *pro hac vice*)
10 DENITTIS OSEFCHEN PRINCE, P.C.
11 5 Greentree Centre, Suite 410
12 525 Route 73 N.
Marlton, New Jersey 08057
Telephone: (856) 797-9951
Email: sdenittis@denittislaw.com

Shon Morgan (SBN 187736)
QUINN EMANUEL
URQUHART & SULLIVAN, LLP
865 S. Figueroa Street, 10th Floor
Los Angeles, CA 90017
Telephone: (213) 443-3000
Facsimile: (213) 443-3100
Email: shonmorgan@quinnemanuel.com

13 Daniel M. Hattis (SBN 232141)
14 Paul Karl Lukacs (SBN 197007)
HATTIS & LUKACS
11711 SE 8th Street, Suite 120
15 Bellevue, WA 98005
16 Telephone: (425) 233-8650
17 Facsimile: (425) 412-7171
Email: dan@hattislaw.com
Email: pkl@hattislaw.com
Email: che@hattislaw.com


*Counsel for Defendants Cellco Partnership d/b/a
Verizon Wireless and Verizon Communications
Inc.*

18 *Attorneys for Plaintiffs and the Class*

19
20 **ORDER OF DISMISSAL**

21 For good cause shown, the Court hereby dismisses with prejudice the Second Amended
22 Complaint and this civil action. The Court hereby instructs the Clerk of Court to close this file.

23
24
25 DATED: September 27, 2024


26 HON. EDWARD M. CHEN
27 Judge of the U.S. District Court
28