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9 [Additional Counsel on Signature Page]

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11 **UNITED STATES DISTRICT COURT**  
12 **FOR THE DISTRICT OF NORTHERN CALIFORNIA**  
13 **SAN JOSE DIVISION**

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16 IN RE HP PRINTER FIRMWARE  
UPDATE LITIGATION

Case No. 5:16-cv-05820-EJD-SVK

17 **JOINT NOTICE OF SETTLEMENT AND**  
18 **STIPULATION AND ~~PROPOSED~~ ORDER**

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20  
21 Plaintiffs and Defendant HP Inc. (“Defendant”) (collectively, the “Parties”), by and through  
22 their respective counsel, hereby notify the Court that the Parties have reached a settlement in principle  
23 to fully and finally resolve the litigation. The parties further stipulate as follows:

24 WHEREAS, on March 22, 2017, Plaintiffs filed a Consolidated Complaint (Dkt. 60), which  
25 HP moved to dismiss on April 21, 2017 (Dkt. 66);

26 WHEREAS, on March 29, 2018, the Court entered an order granting in part and denying in  
27 part HP’s Motion to Dismiss Plaintiffs’ Consolidated Amended Complaint and allowing Plaintiffs to  
28 file a second amended complaint (Dkt. 97);

1 WHEREAS, on February 7, 2018, Plaintiffs filed a Motion for Class Certification (Dkt. 91);

2 WHEREAS, on April 3, 2018, the Court entered the Parties' stipulated agreement to abate the  
3 then-existing dates for the class certification proceedings (Dkt. 100), and on April 11, 2018, the Court  
4 granted a further extension of the case schedule to allow the Parties to continue discussions on  
5 streamlining the litigation in light of the Court's order on HP's Motion to Dismiss (Dkt. 102);

6 WHEREAS, the Parties informed the Court that they were exploring resolution and on May 31,  
7 2018, the Court granted the Parties' request to allow additional time for those efforts by extending to  
8 July 12, 2018 Plaintiffs' deadline to file a second amended complaint (Dkt. 105);

9 WHEREAS, the Parties have reached a settlement in principle and signed a term sheet setting  
10 forth the essential elements of their agreement to resolve the litigation;

11 NOW THEREFORE, the Parties stipulate to, and respectfully request that the Court order:

- 12 1. All existing case deadlines, including Plaintiffs' July 12 deadline to file a second amended  
13 complaint, are vacated; and  
14 2. Plaintiffs' motion for preliminary approval of a class action settlement is due 60 days from  
15 the entry of this order.

16 **IT IS SO STIPULATED.**

17  
18 Dated: July 12, 2018

**GIRARD GIBBS LLP**

19 By: /s/ Elizabeth A. Kramer  
20 Elizabeth A. Kramer

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Dated: July 12, 2018

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**ATTESTATION**


I, Elizabeth A. Kramer, am the ECF User whose ID and password are being used to file this document. In compliance with Local Rule 5-1(i)(3), I certify that concurrence in this filing has been obtained from all of the other signatories.

Dated: July 12, 2018

By: /s/ Elizabeth A. Kramer  
Elizabeth A. Kramer

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: July 13, 2018

By:   
The Honorable Edward J. Davila  
United States District Judge