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*Attorney for Defendant Vemo Education, Inc.*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**COUNTY OF SAN FRANCISCO**

ERIC BOTCHER, and SAMUEL D.  
GALIZIA, individually and on behalf of all  
others similarly situated

Plaintiffs,

v.

MAKE SCHOOL PBC f/k/a MAKE  
SCHOOL INC., MAKE SCHOOL ABC,  
LLC, MAKE SCHOOL ISA SPV, LLC,  
VEMO EDUCATION, INC., and DOES 1  
through 10,

Defendants.

Case No. CGC-21-592710

**JOINT STIPULATION AND [PROPOSED]  
ORDER TO EXTEND CLASS NOTICE  
DEADLINES**

Dep't: 304  
Judge: Hon. Ethan P. Schulman

1 WHEREAS, Plaintiffs Eric Botcher and Samuel Galizia and Defendants Make School  
2 PBC f/k/a Make School Inc., Make School ABC, LLC, Make School ISA SPV, LLC and Vemo  
3 Education, Inc. (the “Defendants”), entered into a settlement of this action, subject to Court  
4 approval, as set forth in the Amended Settlement Agreement dated July 28, 2023, and the  
5 Amendment to the Amended Settlement Agreement dated September 5, 2023 (collectively, the  
6 “Settlement Agreement”);

7 WHEREAS, for purposes of this Stipulation, capitalized terms not defined herein shall  
8 have the meaning ascribed to them in the Settlement Agreement;

9 WHEREAS, on September 7, 2023, the Court entered an order preliminarily approving  
10 the class action settlement in this matter (“Preliminary Approval Order”) and setting a Notice  
11 Deadline of October 23, 2023 (8/7/23 Order ¶ 7);

12 WHEREAS, Section V.D of the Settlement Agreement requires that Defendant Make  
13 School SPV to deposit or cause to be deposited with the Settlement Administrator the amount of  
14 \$460,000 (the “Fee Deposit”) for use in paying attorneys’ fees and costs and incentive awards  
15 awarded by the Court. The Fee Deposit was due on or before October 10, 2023 (because  
16 October 9 is a bank holiday);

17 WHEREAS, although \$50,000 of the Fee Deposit was timely deposited, Defendant Make  
18 School SPV requires additional time to deposit the \$410,000 balance, through and including  
19 October 20, 2023;

20 WHEREAS, the parties have agreed to allow additional time for the Fee Deposit to be  
21 completed, but subject to a short extension of the deadlines for class notice and other settlement  
22 approval activities;

23 WHEREAS, due to the unforeseen events described above, the parties now stipulate and  
24 request that the Court enter an order extending the Class Notice Deadline and all other related  
25 deadlines;

1 NOW, therefore, the Parties hereby STIPULATE that the Court enter an order amending  
2 the Court's Preliminary Approval Order of September 7, 2023 as follows:

3 1. Defendant Make School SPV shall make the Fee Deposit pursuant to  
4 section V.D of the Settlement Agreement on or before October 20, 2023.

5 2. All other settlement-related deadlines shall be extended by three weeks as  
6 follows:


- 7 a. Plaintiffs' application for attorneys' fees and costs and incentive awards:  
8 November 7, 2023  
9 b. Class Notice Deadline: November 10, 2023  
10 c. Opt-Out and Objection Deadline: February 8, 2024  
11 d. Briefing in support or final approval of the settlement: March 1, 2024

12 3. The Settlement Hearing shall be rescheduled from March 1, 2024 to  
13 March 22, 2024 at 9:00 am, or to such other later date as may be convenient for the  
14 Court.

15 **IT IS SO STIPULATED.**

16 Dated: October 16, 2023

**THE SEQUOIA LAW FIRM**

17 By:   
18 \_\_\_\_\_  
19 Melody L. Sequoia  
Attorney for Plaintiffs

20 Dated: October 16, 2023

**PARSONS BEHLE & LATIMER**

21 By: /s/ Darren Neilson  
22 \_\_\_\_\_  
23 Darren Neilson  
24 Attorney for Defendants Make School PBC f/k/a Make  
25 School, Inc., Make School ABC, LLC, and Make  
26 School ISA SPV, LLC

1 Dated: October 16, 2023

**WOOD, SMITH, HENNING & BERMAN LLP**

2 By: /s/ David McDonough  
3 David McDonough  
4 *Attorney for Vemo Education, Inc.*  
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**[PROPOSED] ORDER**

Pursuant to the STIPULATION of the Parties, it is hereby ordered that the Court’s September 7, 2023 Order Granting Preliminary Approval of Settlement (“Preliminary Approval Order”) is amended as follows:

1. Defendant Make School SPV shall make the Fee Deposit pursuant to section V.D of the Settlement Agreement on or before October 20, 2023.

2. All other settlement-related deadlines shall be extended by three weeks as follows:

- a. Plaintiffs’ application for attorneys’ fees and costs and incentive awards: November 7, 2023
- b. Class Notice Deadline: November 10, 2023
- c. Opt-Out and Objection Deadline: February 8, 2024
- d. Briefing in support or final approval of the settlement: March 1, 2024

3. The Settlement Hearing shall be rescheduled from March 1, 2024 to [March 22, 2024 at 9:00 a.m.] / \_\_\_\_\_.

In all other respects, the Court’s Preliminary Approval Order remains in full force and effect.

IT IS SO ORDERED

DATED: October \_\_, 2023

\_\_\_\_\_  
Judge of the Superior Court

**PROOF OF SERVICE**

I, the undersigned, declare:

I am employed in the County of Santa Clara, State of California. I am over the age of 18 years and not a party to this action; my business address is 3000 El Camino Real, Suite 4-200, Palo Alto, CA 94306

On the date written below, I served the following document(s): **JOINT STIPULATION AND [PROPOSED] ORDER TO EXTEND CLASS NOTICE DEADLINES**

- (By U.S. Mail)** By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States Mail in Menlo Park, California, addressed as set forth below.
- (Electronic Service)** By electronically serving a true copy thereof to the e-mail address(es) listed in accordance with Code of Civil Procedure 1010.6(b), California Rules of Court, Rules 2.253(b).
- (File & ServeXpress)** I electronically filed and served the above document(s) utilizing File & ServeXpress on April 28, 2023. Counsel of records are required by the Court to be registered to electronically file and serve on this case and are designated accordingly on the Transaction Receipt located on the File & ServeXpress website.
- (By Personal Service)** By personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

**PARTIES SERVED:**


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**(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct to the best of my knowledge.

Executed on October 16, 2023 at Palo Alto, California.

  
 \_\_\_\_\_  
 Melody D. Sequoia