Case 2:22-cv-01172-KJM-DB Document 33 Filed 06/26/23 Page 1 of 3

1 2 3 4	ARNOLD & PORTER KAYE SCHOLER LLP SHARON D. MAYO (CA Bar No. 150469) sharon.mayo@arnoldporter.com Three Embarcadero Center, 10 th Floor San Francisco, California 94111-4024 Telephone: 415.471.3100 Facsimile: 415.471.3400	
5	ARNOLD & PORTER KAYE SCHOLER LLP ROBERT J. KATERBERG*	
6	robert.katerberg@arnoldporter.com MATTHEW EISENSTEIN*	
7	matthew.eisenstein@arnoldporter.com 601 Massachusetts Avenue, NW	
8	Washington, DC 20001-3743 Telephone: 202.942.5000 Facsimile: 202.942.5999	
10	*Admitted pro hac vice	
11	Attorneys for Defendant Zinus, Inc.	
12	[Additional counsel listed in signature blocks]	
13	UNITED STATES DISTRICT COURT	
14	FOR THE EASTERN DISTRICT OF CALIFORNIA	
15	VANESSA GUTIERREZ, on her own behalf and on behalf of her minor children, Al. D. and An. D.;	Case No. 2:22-CV-1172-KJM-DB
16	JEREMY MILLER and MARIANNA MILLER, on their own behalves and on behalf of their minor	JOINT STATUS REPORT
17	children, P.M. and L.M.; LEONARD MILLER;	
18	THERESA MILLER; and collectively on behalf of themselves and all others similarly situated,	
19	Plaintiffs,	
20	vs.	
21	ZINUS INC.,	
22	Defendant.	
23		I
24		
25		
26		
27		
28		

JOINT STATUS REPORT

Case 2:22-cv-01172-KJM-DB Document 33 Filed 06/26/23 Page 2 of 3

Pursuant to this Court's Order entered April 27, 2023 (ECF No. 32) and Local Rule 160, Plaintiffs Vanessa Gutierrez, Jeremy Miller, Marianna Miller, Leonard Miller, and Theresa Miller (collectively, "Plaintiffs") and Defendant Zinus, Inc. ("Defendant") respectfully report to the Court as follows:

Plaintiffs' counsel and Defendant have made significant progress in finally resolving both this case and related case *Chandler et al v. Zinus, Inc.*, No. 3:20–CV–265–DWD (S.D. Ill), along with the unfiled claims of other clients of plaintiffs' counsel with the continued assistance of Mediator and Retired U.S. District Judge Michael J. Reagan (former Chief Judge, S.D. Ill.). At this time, the parties are continuing to work toward finalizing a written master settlement and other related settlement documentation necessary to effectuate their agreed resolution in principle regarding these claims. The parties have at this point exchanged multiple drafts of the pertinent settlement papers and have conducted productive meet-and-confer discussions in the shared aim of being able to dispose of this matter by agreement as soon as practicably possible. However, due to the number of claims involved in the settlement and the participation of third-party insurers, among other things, the parties anticipate needing some additional time to complete their settlement documentation.

Accordingly, the parties respectfully propose that they submit a further status report to the Court in 60 days to update the Court on the status of the settlement documentation.

Dated: June 26, 2023 ARNOLD & PORTER KAYE SCHOLER LLP

By: s/Sharon D. Mayo
Sharon D. Mayo
Robert J. Katerberg*
Matthew Eisenstein*

Three Embarcadero Center, 10th Floor San Francisco, California 94111-4024 Telephone: 415.471.3100 Facsimile: 415.471.3400 sharon.mayo@arnoldporter.com

-and-

601 Massachusetts Avenue, NW Washington, DC 20001-3743 Telephone: 202.942.5000

- 1 -

1	Facsimile: 202.942.5999
2	robert.katerberg@arnoldporter.com matthew.eisenstein@arnoldporter.com
3	*Admitted pro hac vice
4	Attorneys for Defendant Zinus, Inc.
5	
6	ENVIRONMENTAL LITIGATION GROUP PC
7	
8	By: s/Daniel B. Snyder Daniel B. Snyder (CA Bar No. 207824)
9	Daniel B. Snyder (CA Bar No. 207824) Gregory A. Cade* Kevin McKie*
10	Kevin McKie* Gary Anderson*
11	
12	2160 Highland Ave S, Ste 200 Birmingham, Alabama 35205
13	Telephone: 205.328.9200 Facsimile: 205.328.9456
14	dsnyder@elglaw.com GregC@elglaw.com
15	-and-
16	LAW OFFICE OF CHRISTOPHER CUETO, LTD.
17	Christopher Cueto*
18	7110 West Main Street
19	Belleville, Illinois 62223 ccueto@cuetolaw.com
20	* Admitted pro hac vice
21	Attorneys for Plaintiffs
22	
23	
24	
25	
26	
27	
28	