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11 12	[Additional Counsel listed on signature page]		
13			
14	UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA		
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16	FRESNO DIVISION		
17	GERALD CARLIN, JOHN RAHM, PAUL ROZWADOWSKI and DIANA WOLFE,	CASE NO. 1:09 CV 00430 -AWI (EPG)	
18 19	individually and on behalf of themselves and all others similarly situated,	STIPULATION AND ORDER	
20	Plaintiff and Respondent,		
21	v.		
22	DAIRY AMERICA, INC.,		
23	Defendants.		
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26	Plaintiffs, individually and on behalf of themselves and all others similarly situated		
27	("Plaintiffs"), and Defendant DairyAmerica, Inc	. ("DairyAmerica"), by and through their	
- '	respective attorneys of record, (collectively the "Parties") hereby stipulate to the following:		

1	RECITALS		
2	Whereas the Parties wish to coordinate the initial filing, opposition, reply and hearing date		
3	in relation to Defendants DairyAmerica's and California Dairies Inc.'s ("CDI") Motions to		
4	Dismiss the Third Amended Complaint in order to efficiently manage the Court's and Counsels'		
5	resources;		
6	Whereas counsel for the Parties and CDI are negotiating a stipulation for this purpose and		
7	anticipate filing this soon; and		
8	Whereas the current deadline for DairyAmerica to respond to the Third Amended		
9	Complaint is February 29, 2016, and Plaintiffs have agreed to provide DairyAmerica an interim		
0	extension while the aforementioned stipulation is finalized.		
1	STIPULATION		
2	Therefore, IT IS HEREBY STIPULATED AND AGREED, by the Parties, through their		
3	respective counsel of record, as follows:		
4	1. DairyAmerica's Motion to Dismiss Plaintiffs' Third Amended Complaint, and all papers in		
5	support of the same, are due filed and served on or before March 2, 2016;		
6	2. It is anticipated that the Parties and CDI will file a further stipulation coordinating the		
17	deadlines for the initial filing, opposition, reply and hearing dates in relation to Defendants		
8	DairyAmerica's and CDI's Motions to Dismiss the Third Amended Complaint.		
9	Dated: February 29, 2016 Respectfully submitted,		
20			
21	/s/ Allison Davis/s/ Benjamin Brown		
22	Allison A. Davis #139203 Benjamin D. Brown #202545		
23	Sanjay M. Nangia #264986 George F. Farah DAVIS WRIGHT TREMAINE COHEN MILSTEIN SELLERS & TOLL, PLLC		
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9	Counsel for DairyAmerica Inc.	claufenberg@keller rohrback.com jfarris@kellerohrback.com
10		Counsel for Plaintiffs and the Proposed
11		Class
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13		ORDER
14	The Courts adopts the parties' stipulation as follows:	
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21	IT IS SO ORDERED.	
22	Dated: <u>March 1, 2016</u>	Athhlii
23	Dated. Watch 1, 2010	SENIOR DISTRICT JUDGE
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