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19 Attorneys for Defendants THE
20 **TERMINIX INTERNATIONAL**
21 **COMPANY L.P.**, a limited partnership;
22 **TERMINIX INTERNATIONAL, INC.**

23 **UNITED STATES DISTRICT COURT**
24 **EASTERN DISTRICT OF CALIFORNIA**
25 **FRESNO DIVISION**

26 EDWARD ESHAGH, on behalf of himself) **Case No.: 1:11-CV-00222-OWW-DLB**
27 and all others similarly situated)
28 Plaintiff,) **STIPULATION AND ORDER TO**
vs.) **ENLARGE TIME**
THE TERMINIX INTERNATIONAL)
COMPANY L.P., a limited partnership;) Hon. Oliver W. Wanger
TERMINIX INTERNATIONAL, INC.)
Defendants.)
Complaint Filed:

1 IT IS HEREBY AGREED AND STIPULATED by and between the parties to this
2 litigation, by and through their respective counsel, and pursuant to Local Rule 144(a), as
3 follows:

4 1. Based on the date of service upon Terminix International, Inc., the
5 responsive pleading deadline for Terminix International, Inc. is March 11, 2011.

6 2. Plaintiff's Complaint is forty-three (43) pages long, contains 201
7 paragraphs of allegations, and purports to bring five (5) separate claims labeled as
8 follows:

Count	Description
Count I	California UCL (Business and Professions Code §17200, et seq.)
Count II	California UCL (Business and Professions Code §17500, et seq.) Equitable Relief
Count III	Breach of Professional Duty
Count IV	Breach of Contract and Duty of Fair Dealing
Count V	Assumpsit

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13 3. Counsel for the Defendants has been researching the legal issues raised by
14 Plaintiff's claims as well as reviewing and investigating the numerous factual allegations
15 made in the Complaint. Given the number of legal and factual issues raised by Plaintiff's
16 Complaint, that research and factual investigation has not yet been completed.

17 4. Defendants have requested an enlargement of time of twenty-eight (28)
18 days, thus until April 7, 2011, to file its responsive pleading to the plaintiff's Complaint.
19 Plaintiff has agreed to this request in exchange for Defendants' agreement to (a) appear
20 and respond for both Defendants by April 7, 2011, and (b) to not oppose Plaintiff's
21 counsel's motion for admission pro hac vice of Thomas F. Campbell and D. Keiron
22 McGowin. Defendants agree to the two stipulations requested by Plaintiff. Plaintiff
23 stipulates that he will not object to pro hac vice motions by Defendants' lawyers David
24 Creagh and David Richards.

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SO STIPULATED.

DATED: March 8, 2011

HOFFMAN & LAZEAR

By: */s/ H. Tim Hoffman*
H. Tim Hoffman
Attorneys for Plaintiff

DATED: March 8, 2011

HINSHAW & CULBERTSON LLP

By: */s/ Christopher J. Borders*
Christopher J. Borders
Attorneys for Defendants THE TERMINIX
INTERNATIONAL COMPANY L.P., a
limited partnership; TERMINIX
INTERNATIONAL, INC.

IT IS SO ORDERED.

Dated: March 9, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE