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18 WILLIAM L. MILBURN

19 UNITED STATES DISTRICT COURT
20 EASTERN DISTRICT OF CALIFORNIA
21 FRESNO DIVISION

22 WILLIAM L. MILBURN, individually and
23 on behalf of others similarly situated,

24 Plaintiff,

25 vs.

26 PETSMART, INC., and Does 1 through 50,
27 inclusive,

28 Defendants.

Case No. 1:18-CV-00535-DAD-SKO

Honorable Sheila K. Oberto

**JOINT STIPULATION FOR EXTENSION
OF TIME TO FILE PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT; ORDER**

(Doc. 5)

Complaint Filed: October 27, 2016

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JOINT STIPULATION

Plaintiff William Milburn (“Plaintiff”) and Defendant PetSmart, Inc. (“PetSmart” or “Defendant”) (collectively, the “Parties”), by and through the by and through their respective counsel of record, respectfully submit this Joint Stipulation for Extension of Time to File Plaintiff’s Motion for Preliminary Approval of Class Action Settlement.

WHEREAS, on August 6, 2018, the Parties filed a Notice of Class Action Settlement and Stipulation to Vacate All Future Court Dates, informing the Court that the Parties have reached a settlement in this action;

WHEREAS, on August 8, 2018, the Court entered a Minute Order vacating all future deadlines and hearing dates, and ordering the parties to file a motion for preliminary approval of class action settlement by September 5, 2018;

WHEREAS, the Parties have exchanged multiple drafts of the settlement papers and require an additional fourteen (14) days to finalize the settlement papers and for Plaintiff to submit the Motion for Preliminary Approval of Class Action Settlement;

THEREFORE, IT IS STIPULATED by the Parties and respectfully requested that the filing deadline for Plaintiff’s Motion for Preliminary Approval of Class Action Settlement be extended by fourteen (14) days to September 19, 2018.

IT IS SO STIPULATED.

Dated: September 5, 2018

GRAHAMHOLLIS APC

By /s/Grahm Hollis

GRAHAM S.P. HOLLIS
Attorneys for Plaintiff
WILLIAM MILBURN

1 Dated: September 5, 2018

MORGAN, LEWIS & BOCKIUS LLP

2 By /s/Carrie A. Gonell
3 CARRIE A. GONELL
4 Attorneys for Defendant
5 PETSMART, INC.

6 **ORDER**

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8 The Court is in receipt of the parties' above "Joint Stipulation for Extension of Time to
9 File Plaintiff's Motion for Preliminary Approval of Class Action Settlement." (Doc. 5.) Pursuant
10 to the Court's minute order issued August 8, 2018 (Doc. 4), the Motion for Preliminary Approval
11 of Class Action Settlement was due September 5, 2018, the same day on which the parties filed
12 the above stipulation for an extension.

13 Requests for extension are governed by Rule 144 of the Local Rules of the United States
14 District Court, Eastern District of California ("Local Rules"). Local Rule 144(d) explains that
15 "[r]equests for Court-approved extensions brought on the required filing date for the pleading or
16 other document are looked upon with disfavor." The parties are hereby admonished that any
17 future requests for extensions of time shall be brought in advance of the required filing date and
18 be supported by good cause under Fed. R. Civ. P. 16(b)(4). However, given the parties'
19 representations that they have exchanged multiple drafts of the settlement papers and only require
20 an additional fourteen (14) days to finalize the settlement papers (*see* Doc. 5 at 2), the Court
21 GRANTS the parties' request for an extension.

22 IT IS HEREBY ORDERED that the parties have until September 19, 2018, to file the
23 Motion for Preliminary Approval of Class Action Settlement.

24
25 IT IS SO ORDERED.

26 Dated: September 6, 2018

27 /s/ Sheila K. Overt
28 UNITED STATES MAGISTRATE JUDGE