

**THIERMAN LAW FIRM, PC**  
7287 Lakeside Drive  
Reno, NV 89511  
(775) 284-1500 Fax (775) 703-5027  
Email laborlawyer@pacbell.net www.laborlawyer.net

1 Mark R. Thierman Cal SB# 72913  
2 **THIERMAN LAW FIRM, PC**  
3 7287 Lakeside Drive  
4 Reno, Nevada 89511  
5 Tel: (775) 284-1500

6 Scott A. Miller, Esq., SB # 230322  
7 **LAW OFFICE OF SCOTT A. MILLER**  
8 **A Professional Corporation**  
9 16133 Ventura Blvd. Suite 1200  
10 Encino, CA 91436  
11 Tel. (818) 788-8081

12 Steven L. Miller, Esq., SB # 106023  
13 **LAW OFFICE OF STEVEN L. MILLER**  
14 **A Professional Corporation**  
15 16133 Ventura Blvd. Suite 1200  
16 Encino, CA 91436  
17 Tel. (818) 986-8900

18 **UNITED STATES DISTRICT COURT**

19 **EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION**

20 LISA LYNN HARVEL, on behalf of herself, )  
21 all others similarly situated and the general )  
22 public, )

23 Plaintiff, )

24 v. )

25 OWENS HEALTHCARE – RETAIL )  
26 PHARMACY, INC., a California corporation, )  
27 and as FIDUCIARY OF THE OWENS )  
28 HEALTHCARE – RETAIL PHARMACY, )  
29 INC. EMPLOYEE BENEFIT PLAN, and )  
30 DOES 1-50, inclusive, )

31 Defendants. )  
32 )

Case No.: 2:09-cv-01249-JAM-GGH

**STIPULATION FOR CONTINUANCE  
OF HEARING**

Complaint Filed: April 30, 2009

Trial Date: None

Pursuant to Local Rule 78-230(g), Plaintiff LISA LYNN HARVEL (“Plaintiff”),  
individually and behalf of all others similarly situated, and Defendant OWENS

**THIERMAN LAW FIRM, PC**  
7287 Lakeside Drive  
Reno, NV 89511  
(775) 284-1500 Fax (775) 703-5027  
Email laborlawyer@pacbell.net www.laborlawyer.net

1 HEALTHCARE-RETAIL PHARMACY, INC. (“Defendant”), by and through their  
2 counsel of record, request that this Court grant a continuance of the hearing on Defendant’s  
3 Motion to Dismiss currently set for September 23, 2009 to November 4, 2009. This  
4 continuance is requested to allow the parties time to finalize a settlement agreement that  
5 will result in resolution of Plaintiff’s claims and obviate the need for this matter to be  
6 heard.

7 IT IS SO STIPULATED.

8 Dated: September 17, 2009.

THIERMAN LAW FIRM, PC

9  
10 By:           /s/Mark R. Thierman            
MARK R. THIERMAN

11 Attorney for Plaintiff  
12 LISA LYNN HARVEL

13  
14 Dated: September 17, 2009.

JACKSON LEWIS LLP

15 By:           /s/Jason M. Stein            
16 RENÉ E. THORNE (LA SBN 22875)  
17 JASON M. STEIN (LA SBN 30073)  
18 SUSANNE VETERS (LA SBN 2736)  
19 Jackson Lewis LLP  
20 650 Poydras Street, Suite 1900  
New Orleans, LA 70130  
Telephone: (504) 208-1755  
Facsimile: (504) 208-1759

21 BRENDAN J. BEGLEY (SBN 202563)  
22 801 “K” Street, Suite 2300  
23 Sacramento, CA 95814  
24 Telephone: (916) 341-0404  
25 Facsimile: (916) 341-0141

26 Attorneys for Defendant  
27 OWENS HEALTHCARE-RETAIL  
28 PHARMACY, INC.

**THIERMAN LAW FIRM, PC**  
7287 Lakeside Drive  
Reno, NV 89511  
(775) 284-1500 Fax (775) 703-5027  
Email laborlawyer@pacbell.net www.laborlawyer.net

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Based upon the stipulation of the parties, and good reason appearing, IT IS SO ORDERED.

DATED: September 18, 2009

/s/ John A. Mendez  
THE HONORABLE JOHN A. MENDEZ

**THERMAN LAW FIRM, PC**  
7287 Lakeside Drive  
Reno, NV 89511  
(775) 284-1500 Fax (775) 703-5027  
Email laborlawyer@pacbell.net www.laborlawyer.net

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28