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Attorneys for Defendant Target Corporation

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

TROY KOOL, individually and on behalf
of himself and all others similarly situated,

Plaintiffs,

vs.

TARGET CORPORATION, a Minnesota
Corporation and DOES 1-100, inclusive,

Defendants.

No. 2:10-CV-02950-LKK-EFB

**STIPULATION AND ORDER CONTINUING (1)
HEARING ON DEFENDANT'S MOTION TO
DISMISS, STAY, OR TRANSFER AND (2)
STATUS CONFERENCE PENDING
MEDIATION**

STIPULATION

1
2 Plaintiff Troy Kool and defendant Target Corporation, acting through their respective counsel of
3 record, hereby stipulate as follows:

4 1. Defendant’s Motion to Dismiss, Stay, or Transfer This Action on Account of Previously-
5 Filed Class Action; or Alternatively, to Transfer Venue Pursuant to 28 U.S.C. § 1404(a); or
6 Alternatively, to Stay Action Pending Outcome of *Brinker Restaurant Corp. v. Superior Court* (the
7 “Motion to Dismiss”) (Docket No. 9) currently is scheduled to be heard by the Court on January 18,
8 2011, at 10:00 a.m.

9 2. A status conference currently is scheduled to be held in this action on January 24, 2011,
10 at 2:00 p.m.

11 3. The parties to this action and the parties to the pending related action, *Mesindo Pompa,*
12 *individually and on behalf of all others similarly situated, Plaintiff v. Target Corporation, and Does 1*
13 *through 50, inclusive, Defendants, U.S.D.C., C.D. Cal., No. CV 10-0634 AHM (FFMx),* have agreed to
14 submit both actions to a private mediation to be held in March 2011.

15 4. The parties agree that to help facilitate the mediation and avoid what may become
16 unnecessary time and expense for the parties and the Court, the hearing on defendant’s Motion to
17 Dismiss and the case management conference should be continued to dates after the mediation. In that
18 regard, the parties propose that the hearing on defendant’s Motion to Dismiss be continued to April 14,
19 2011, and the status conference be continued to April 25, 2011, with a joint status conference statement
20 to be filed one week before.

21 5. Based on this stipulation, the parties respectfully request that the Court order the
22 continuances as indicated above.

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Dated: January 7, 2011.

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Dated: January 7, 2011.

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