


1 DOWNEY BRAND LLP  
 2 JANLYNN R. FLEENER (BAR NO. 169385)  
 3 ADRIAN J. WEBBER (BAR NO. 259118)  
 4 621 Capitol Mall, 18th Floor  
 5 Sacramento, CA 95814-4731  
 Telephone: (916) 444-1000  
 Facsimile: (916) 444-2100  
 jfleener@downeybrand.com  
 awebber@downeybrand.com

**FILED**

AUG 12 2013

CLERK, U.S. DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA  
 BY   
 DEPUTY CLERK

6 Attorneys for Defendant  
 7 O'REILLY AUTOMOTIVE, INC.

8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

11 MILILANI GROUP, INC.,  
 12 Plaintiff,  
 13 v.  
 14 O'REILLY AUTOMOTIVE, INC.;  
 15 CSK AUTO, INC.,  
 16 Defendants.

Case No. 2:12-CV-00891-JAM-CKD

**STIPULATION FOR EXTENSION OF  
 TIME FOR FILING REPLY IN SUPPORT  
 OF MOTION FOR ATTORNEY'S FEES;  
 ORDER**

Hon. John A. Mendez, Courtroom 6  
 Complaint Filed: April 6, 2012

**STIPULATION FOR EXTENSION OF TIME  
 FOR FILING REPLY BRIEF BY O'REILLY AUTOMOTIVE, INC.  
 IN SUPPORT OF MOTION FOR ATTORNEY'S FEES**

20 Plaintiff MILILANI GROUP, INC. ("Plaintiff") and Defendant O'REILLY  
 21 AUTOMOTIVE, INC. ("O'Reilly") hereby stipulate and agree to extend the time for O'Reilly's  
 22 reply brief in support of its motion for attorney's fees, set for hearing on August 21, 2013.

This stipulation is based on the following facts:

- 24 1. O'Reilly filed and electronically served notice and moving papers in support of its  
 25 MOTION BY PREVAILING PARTY O'REILLY AUTOMOTIVE, INC. FOR ATTORNEY'S  
 26 FEES (the "Motion") on July 15, 2013 [Doc. No. 39].
- 27 2. Plaintiff's opposition to the Motion was due on or before August 7, 2013.
- 28 3. Plaintiff filed and electronically served its opposition on Monday, August 12, 2013

1 [Doc. No. 43].

2 4. Based on the hearing date of August 21, 2013, O'Reilly's reply in support of the  
3 Motion would be due Wednesday, August 14, 2013, which is now just two days after Plaintiff  
4 filed its opposition.

5 5. In light of the untimely filing of its opposition, Plaintiff is willing to stipulate to an  
6 extension of the deadline for O'Reilly to file its reply in support of the Motion.

7 Therefore, Plaintiff and O'Reilly, by and through their undersigned counsel, HEREBY  
8 STIPULATE AND AGREE that O'Reilly shall have an extension of time to file a reply in support  
9 of the Motion by Prevailing Party O'Reilly Automotive, Inc. for Attorney's Fees, through and  
10 including Friday, August 16, 2013.

11 **IT IS SO STIPULATED.**

12 DATED: August 12, 2013

DOWNEY BRAND LLP

14 /s/ Janlynn R. Fleener

JANLYNN R. FLEENER  
ADRIAN J. WEBBER  
Attorney for Defendant  
O'REILLY AUTOMOTIVE, INC.

17 DATED: August 12, 2013

SIGNATURE LAW GROUP LLP

19 /s/ Gordon W. Egan  
*(as authorized on 8/12/13)*

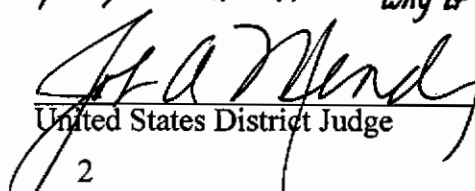
GORDON W. EGAN  
Attorney for Plaintiff  
MILILANI GROUP, INC.

22 **ORDER**

23 Based on the foregoing, and good cause appearing therefore, it is hereby ORDERED that  
24 Defendant O'Reilly Automotive, Inc. shall have an extension of time through and including close  
25 of business on Friday, August 16, 2013, to file any reply in support of its Motion by Prevailing

26 Party O'Reilly Automotive, Inc. for Attorney's Fees.  
27 IT IS SO ORDERED.

28 Dated: August 12, 2013

*Plaintiff's counsel shall file a declaration  
no later than August 16, 2013 explaining why Plaintiff's opposition was filed late and  
why it believes sanctions should not be imposed.*  
  
United States District Judge