

1 **Jennifer B. Zargarof (SBN 204382)**  
 2 **jzargarof@sidley.com**  
 3 **Aimee G. Mackay (SBN 221690)**  
 4 **amackay@sidley.com**  
 5 **SIDLEY AUSTIN LLP**  
 6 **555 West 5th St., Suite 4000**  
 7 **Los Angeles, CA 90013**  
 8 **Telephone: +1 213 896 6000**  
 9 **Facsimile: +1 213 896 6600**

10 **Attorneys for Defendant**  
 11 **OMNICARE, INC., a corporation**

12 UNITED STATES DISTRICT COURT  
 13 EASTERN DISTRICT OF CALIFORNIA

12	DARLENE ERVIN,	)	Civ. No. 2:13-cv-00146-MCE-KJN
13		)	
14	Plaintiff,	)	
15	vs.	)	<b>STIPULATION TO EXTEND TIME</b>
16	OMNICARE, INC., a corporation,	)	<b>FOR DEFENDANT TO RESPOND</b>
17		)	<b>TO PLAINTIFF’S SECOND</b>
18	Defendant.	)	<b>AMENDED COMPLAINT</b>
19		)	<b>PURSUANT TO EASTERN</b>
20		)	<b>DISTRICT LOCAL RULE 144(A);</b>
		)	<b>ORDER THEREON</b>
		)	
		)	

21  
 22 IT IS HEREBY STIPULATED AND AGREED by and between the parties  
 23 hereto through their respective attorneys that Defendant OMNICARE, INC. may have  
 24 additional time within which to answer or otherwise respond to Plaintiff’s complaint.  
 25 Therefore, the last day for Defendant to answer or otherwise respond to Plaintiff’s  
 26 Second Amended Complaint is Tuesday, February 21, 2017. This extension does not  
 27 exceed the twenty-eight (28) days allowed under Eastern District Local Rule 144(a).  
 28 This is the first stipulation to extend time pursuant to Local Rule 144(a) in this matter.

1 **IT IS SO STIPULATED AND AGREED.**

2  
3 Dated: January 31, 2017

SIDLEY AUSTIN LLP

4  
5  
6 By: /s/ Jennifer B. Zargarof  
Jennifer B. Zargarof  
Aimee G. Mackay  
7 Attorneys for Defendant  
8 OMNICARE, INC., a corporation

9  
10 THYBERGLAW

11  
12 By: /s/ Gregory A. Thyberg (authorized 1/31/17)  
13 Gregory A. Thyberg  
Attorneys for Plaintiff  
14 DARLENE ERVIN

15  
16 **ORDER**

17 In accordance with the foregoing stipulation, and good cause appearing, the  
18 time for Defendant OMNICARE, INC. to respond to Plaintiff's Complaint is hereby  
19 extended to February 21, 2017.  
20

21 **IT IS SO ORDERED.**

22 Dated: February 7, 2017

23  
24   
25 MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE