

1 SEYFARTH SHAW LLP  
 Joshua M. Henderson (SBN 197435)  
 2 jhenderson@seyfarth.com  
 Andrew M. McNaught (SBN 209093)  
 3 Email: amcnaught@seyfarth.com  
 560 Mission Street, 31st Floor  
 4 San Francisco, California 94105  
 Telephone: (415) 397-2823  
 5 Facsimile: (415) 397-8549

6 SEYFARTH SHAW LLP  
 Thomas J. Piskorski (admitted *pro hac vice*)  
 7 tpiskorski@seyfarth.com  
 131 South Dearborn Street  
 8 Suite 2400  
 Chicago, IL 60603  
 9 Telephone: (312) 460-5000  
 Facsimile: (312) 460-7000

10 SEYFARTH SHAW LLP  
 Daniel C. Kim (SBN 272680)  
 11 dckim@seyfarth.com  
 400 Capitol Mall, Suite 2350  
 12 Sacramento, CA 95814  
 Telephone: (916) 448-0159  
 13 Facsimile: (916) 558-4839

MARLIN & SALTZMAN  
 Christina A. Humphrey (SBN 226326)  
 Leslie H. Joyner (SBN 262705)  
 29229 Canwood Street, Suite 208  
 Agoura Hills, California 91301  
 Telephone: (818) 991-8080  
 Facsimile: (818) 991-8081

14 Attorneys for Defendant  
 15 HUB GROUP TRUCKING, INC. (formerly  
 known as Comtrak Logistics, Inc.)

Attorneys for Plaintiff  
 SALVADOR ROBLES

16 UNITED STATES DISTRICT COURT  
 17 EASTERN DISTRICT OF CALIFORNIA

18 SALVADOR ROBLES, individually and on  
 19 behalf of others similarly situated,  
 20 Plaintiffs,  
 21 v.  
 22 COMTRAK LOGISTICS, INC., a Delaware  
 corporation; and DOES 1 through 10,  
 23 inclusive,  
 24 Appellees

Case No. 2:13-CV-00161-JAM-AC

**JOINT STIPULATION AND ORDER  
 TO EXTEND TIME TO RESPOND TO  
 FIRST AMENDED COMPLAINT  
 [LOCAL RULE 144]**

1 **STIPULATION**

2 Pursuant to L.R. 144(a), Plaintiff SALVADOR ROBLES, individually and on behalf of  
3 others similarly situated, and Defendant HUB GROUP TRUCKING, INC. (formerly known as  
4 Comtrak Logistics, Inc.), by and through their undersigned counsel, hereby stipulate and agree to  
5 an extension of time of fourteen (14) days for Defendant to respond to the First Amended  
6 Complaint. The grounds for this stipulation are as follows:

7 WHEREAS, on April 23, 2013, the Parties stipulated that Defendant’s first responsive  
8 pleading in this action would be due twenty-eight (28) days from the date Plaintiff filed his First  
9 Amended Complaint.

10 WHEREAS, on May 6, 2013, Plaintiff filed his First Amended Complaint against  
11 Defendant, making Defendant’s responsive pleading due on June 3, 2013.

12 WHEREAS, on June 3, 2013, Defendant filed a Motion to Dismiss Plaintiff’s First  
13 Amended Complaint.

14 WHEREAS, on December 19, 2014, the Court denied Defendant’s Motion to Dismiss  
15 Plaintiff’s First Amended Complaint resulting in a January 2, 2015 deadline for Defendant’s  
16 responsive pleading. *See* Fed. R. Civ. Proc. 12(a)(4).

17 WHEREAS, Plaintiff intends to file a second amended complaint for which Plaintiff will  
18 seek leave of court.

19 WHEREAS, Plaintiff will provide a draft of the proposed second amended complaint to  
20 Defendant sometime after the Holiday season, prior to seeking leave of court.

21 WHEREAS, given the intervening Holiday season, and Plaintiff’s intent to pursue a  
22 proposed Second Amended Complaint, the Parties have agreed to extend the deadline for  
23 Defendant to respond to Plaintiff’s First Amended Complaint by fourteen (14) days, to January  
24 16, 2015.

25 ///

26 ///

27 ///

1           **THEREFORE, THE PARTIES HEREBY STIPULATE AND RESPECTFULLY**  
2 **REQUEST THAT THE COURT ORDER** that Defendant shall have an extension of time of  
3 fourteen (14) days, until January 16, 2015 to respond to Plaintiff's First Amended Complaint.  
4

5  
6 Dated: December 29, 2014

SEYFARTH SHAW LLP

7  
8 By:           /s/ Daniel C. Kim

Thomas J. Piskorski  
Joshua M. Henderson  
Andrew M. McNaught  
Daniel C. Kim

9  
10  
11 Attorneys for Defendant  
12 HUB GROUP TRUCKING, INC. (formerly  
known as Comtrak Logistics, Inc.)

13 Dated: December 29, 2014

MARLIN & SALTZMAN, LLP

14  
15 By:           /s/ Christina A. Humphrey

16 Christina A. Humphrey  
17 Leslie H. Joyner  
Attorneys for Plaintiff  
18 SALVADOR ROBLES  
19

20                                   **ORDER**

21           **PURSUANT TO STIPULATION, IT IS SO ORDERED** Defendant Comtrak shall  
22 have until January 16, 2015 to respond to Plaintiff's First Amended Complaint in this matter.  
23

24 DATED: December 30, 2014

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