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 15 Rite Aid Corporation

17 UNITED STATES DISTRICT COURT
 18 EASTERN DISTRICT OF CALIFORNIA

20 KEITH WELDAY, an individual
 21
 22 Plaintiff,
 23 vs.
 24 RITE AID CORPORATION, and DOES 1
 through 50, inclusive,
 25
 26 Defendants

No. 2:13-CV-02439 JAM-EFB

Related to Nos.
 2:14-CV-01957 JAM-EFB;
 2:14-CV-01946 JAM-EFB;
 2:14-CV-01960 JAM-EFB;
 2:14-CV-01961 JAM-EFB;
 2:14-CV-01963 JAM-EFB;
 2:14-CV-01965 JAM-EFB;
 2:15-CV-00429 JAM-EFB.

**AMENDED STIPULATION TO CONTINUE
 MOTION TO STAY HEARING AND
 BRIEFING DEADLINES**

Judge: Hon. John A. Mendez

1 Plaintiff Keith Welday and defendant Rite Aid Corporation (“Rite Aid”), acting through their
2 respective counsel of record, hereby stipulate as follows:

3 1. On March 4, 2015, Rite Aid moved to stay this action pending *Romero v. Rite Aid Corp.*,
4 U.S.D.C., C.D. Cal., No. CV 13-7720-MWF (JEMx) (“*Romero*”), a putative class action in which the
5 plaintiff alleges that Rite Aid misclassified salaried Store Managers as exempt from the overtime pay
6 and related requirements of California law. Rite Aid contends that, because the plaintiff and the putative
7 class in *Romero* are represented by the same counsel who represent plaintiff in this action and plaintiff is
8 a putative class member in *Romero*, the Court here should stay these proceedings as an effective case
9 management tool under its inherent discretionary authority. *See Landis v. North American Co.*, 299 U.S.
10 248, 254-55 (1936). (*See* ECF 26.)

11 2. The parties are discussing the scope of the putative class claims in *Romero*, which may
12 impact Rite Aid’s motion to stay in this action. As such, the parties wish to avoid the cost and expense
13 of litigating the motion to stay pending developments in *Romero*.

14 3. Accordingly, the parties respectfully request that the Court: (1) continue the hearing on
15 Rite Aid’s motion to stay this action and the six related actions from April 8, 2015, to April 22, 2015, or
16 to the first date available for the Court; and (2) reset the deadlines for plaintiff’s opposition to and Rite
17 Aid’s reply in support of the motion to stay to 14 and seven days, respectively, before the continued
18 hearing on Rite Aid’s motion to stay.

19 4. By entering into this stipulation, the parties waive no position that they have taken or
20 could have taken with respect to Rite Aid’s motion to stay.

21 Dated: March 27, 2015.

RIGHETTI GLUGOSKI LLP

22 By: /s/ Michael Righetti

23 Michael Righetti
24 Attorneys for Plaintiff Keith Welday

25 Dated: March 27, 2015.

PAUL HASTINGS LLP

26 By: /s/ Peter A. Cooper

27 Peter A. Cooper
28 Attorneys for Defendant Rite Aid Corporation

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**[PROPOSED] ORDER CONTINUING
MOTION TO STAY HEARING AND
BRIEFING DEADLINES**

Judge: Hon. John A. Mendez

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On the stipulation of the parties, and good cause appearing therefor,

IT IS ORDERED that the April 8, 2015, hearing on the motion to stay this action pending *Romero v. Rite Aid Corp.*, U.S.D.C., C.D. Cal., No. CV 13-7720-MWF (JEMx), is continued from April 8, 2015, to April 22, 2015.

IT IS FURTHER ORDERED that the deadlines for the opposition to and reply in support of the motion to stay are reset to 14 and seven days, respectively, before the continued hearing date.

Dated: March 30, 2015

/s/ John A. Mendez
John A. Mendez
United States District Court Judge