

1 Plaintiffs Sharidan Stiles and Stiles 4 U, Inc. (“Plaintiff” or “Stiles”) and Defendants Wal-
2 Mart Stores, Inc. (“Walmart”) and American International Industries (“AI,” collectively
3 “Defendants”) by and through their respective counsel, hereby stipulate as follows:

4 **WHEREAS**, on October 6, 2016, Defendants filed a Second Motion to Dismiss
5 Claims Three and Four in Plaintiffs’ Second Amended Complaint, (Dkt. No. 71);

6 **WHEREAS**, on October 10, 2016, Plaintiffs filed a Motion to Strike Defendants’
7 Second Motion to Dismiss and an *Ex Parte* Application to Shorten the Time on the Motion to
8 Strike (Dkt. Nos. 75 and 76); and

9 **WHEREAS**, the Court issued an order continuing the hearing date on all pending
10 Motions to November 17, 2016, and set the deadline for Plaintiffs’ response to the Second
11 Motion to Dismiss to on or before November 3, 2016, and stated that, “should plaintiff require
12 additional time beyond 11/03/16, the Court anticipates that the parties will be able to stipulate
13 to an additional extension” (Dkt. No. 78.); and

14 **AND WHEREAS**, in light of Plaintiffs’ counsel’s previously scheduled travel and
15 conflicts in other matters, Plaintiffs’ counsel has conferred with counsel for Defendants and
16 the parties have agreed to modify the briefing schedule and to continue the hearing date on all
17 pending motions, Defendants’ Motions to Dismiss (Dkt. Nos. 64, 65, and 71) and Plaintiffs’
18 Motion Strike (Dkt. No. 75), to December 1, 2016, at 2:00 p.m.

19 **THEREFORE, THE PARTIES, BY AND THROUGH THEIR RESPECTIVE**
20 **UNDERSIGNED COUNSEL, HEREBY STIPULATE, AND THE COURT ORDERS**
21 **AS FOLLOWS:**

22 1. Plaintiffs’ deadline for filing the Opposition to Defendants’ Second Motion to
23 Dismiss is extended to on or before November 9, 2016, and Defendants’ deadline for filing
24 any Reply Brief is extended to on or before November 23, 2016; and

1 2. Defendants' deadline for filing the Opposition to Plaintiffs' Motion to Strike
2 is extended to November 9, 2016, and Plaintiffs' deadline for filing any Reply Brief is
3 extended to on or before November 23, 2016; and

4 3. The hearing dates for all pending motions, Defendants' Motions to Dismiss
5 (Dkt. Nos. 64, 65, and 71) and Plaintiffs' Motion to Strike (Dkt. No. 75) shall be continued to
6 December 1, 2016, at 2:00 p.m. in Courtroom 7.
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9 Dated: November 2, 2016

ALIOTO LAW FIRM

/s/ Jamie L. Miller

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Attorney for Plaintiff Sharidan Stiles

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17 Dated: November 2, 2016

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/s/ Laura L. Chapman

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Attorneys for Defendant Wal-Mart Stores, Inc.

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2 Dated: November 2, 2016

**CONKLE, KREMER & ENGEL,
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3
4 /s/ Mark D. Kremer

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Industries*

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ORDER

Pursuant to the parties' stipulation, the Court hereby orders that hearings on Defendants' Motions to Dismiss (ECF Nos. 64, 65, and 71) and Plaintiffs' Motion to Strike (ECF No. 75) shall be continued to December 1, 2016, at 2:00 p.m. in Courtroom 7. The Court further orders that all oppositions to those motions be filed on or before November 9, 2016, and all replies thereto be filed on or before November 23, 2016.

IT IS SO ORDERED.

Dated: November 7, 2016


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE