

1 LITTLER MENDELSON, P.C.  
 MATTHEW E. FARMER, Bar No. 190484  
 2 [mfarmer@littler.com](mailto:mfarmer@littler.com)  
 IRENE V. FITZGERALD, Bar No. 266949  
 3 [ifitzgerald@littler.com](mailto:ifitzgerald@littler.com)  
 4 5200 North Palm Avenue, Suite 302  
 Fresno, CA 93704.2225  
 Telephone: 559.244.7500  
 5 Facsimile: 559.244.7525

6 Attorneys for Defendant  
 IN-SHAPE HEALTH CLUBS, LLC, a  
 7 limited liability company

8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA  
 10 SACRAMENTO DIVISION

12 TIFFANY ANNE HODGES,  
 13 Plaintiff,  
 14 v.  
 15 IN SHAPE HEALTH CLUBS, LLC,  
 16 a limited liability company,  
 17 Defendants.

Case No. 2:17-cv-01274-JAM-DB

**AMENDED STIPULATION AND  
 ORDER TO EXTEND TIME TO  
 RESPOND TO FIRST AMENDED  
 COMPLAINT**

First Amended Complaint Served: 10/05/17  
 Current Response Date: 10/25/17  
 New Response Date: 11/8/17

18  
 19 Plaintiff TIFFANY ANNE HODGES (“Plaintiff”) and Defendant IN-  
 20 SHAPE HEALTH CLUBS, LLC, a limited liability company (“Defendant”), stipulate  
 21 and agree as follows:

22 WHEREAS Defendant removed this matter from San Joaquin Superior  
 23 Court on June 21, 2017; and

24 WHEREAS Defendant filed a motion to dismiss, which was set to be  
 25 heard on September 19, 2017. This motion was denied without prejudice for the  
 26 Parties to engage in additional meet and confer efforts and was re-filed and set to be  
 27 heard on November 7, 2017; and

28 WHEREAS Plaintiff filed a motion for leave to amend, which was

CASE NO. 2:17-CV-01274-JAM-DB

Amended Stipulation And [Proposed] Order To  
 Extend Time To Respond To First Amended  
 Complaint

1 granted on October 2, 2017; and

2 WHEREAS Plaintiff filed the First Amended Complaint on October 5,  
3 2017;

4 WHEREAS Plaintiff's Motion for Remand was taken under advisement  
5 by the Court and, if necessary during the interim, Defendant will file a response to the  
6 First Amended Complaint within two weeks; and

7 WHEREAS counsel for the Parties are in the process of meeting and  
8 conferring on the terms of a stipulation to submit this matter to binding private  
9 arbitration; and

10 WHEREAS the parties wish to focus efforts on this alternative dispute  
11 resolution; and

12 WHEREAS no prior extensions for Defendant to respond have been  
13 sought or granted;

14 IT IS HEREBY STIPULATED AND AGREED that the deadline for  
15 Defendant to file a responsive pleading to the First Amended Complaint shall be  
16 continued from October 25, 2017 to November 8, 2017.

17 SO STIPULATED AND AGREED.

18  
19 Dated: October 24, 2017

LITTLER MENDELSON, P.C.

20  
21 By: /s/ Irene V. Fitzgerald  
22 MATTHEW E. FARMER  
23 IRENE V. FITZGERALD  
24 Attorneys for Defendant  
25 IN-SHAPE HEALTH CLUBS, LLC,  
26 a limited liability company  
27  
28

1 Dated: October 24, 2017

CARTER, CARTER, FRIES &  
GRUNSCHLAG

2  
3  
4 By: /s/ Brian M. Carter  
BRIAN M. CARTER  
Attorneys for Plaintiff  
5 TIFFANY HODGES  
6

7  
8 **ORDER**

9 Having reviewed the above stipulation of the parties, and good cause  
10 appearing therefore, it is ordered that:

11 1) The time for Defendant to file a responsive pleading or otherwise  
12 respond to the First Amended Complaint shall be continued to November 8, 2017.

13 **IT IS SO ORDERED.**  
14

15 Dated: October 24, 2017

16 /s/ John A. Mendez  
17 **U. S. District Court Judge**  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28