

1 RANDALL W. EDWARDS (C.S.B. #179053)
 O'MELVENY & MYERS LLP
 2 Two Embarcadero Center
 28th Floor
 3 San Francisco, California 94111-3823
 Telephone: +1 415 984 8700
 4 Facsimile: +1 415 984 8701

5 Attorneys for Defendant
 NATIONWIDE INVESTMENT SERVICES
 6 CORPORATION

7
 8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

10
 11 CHRIS ANDREW and RICHARD
 MAYBERRY, suing individually and by and
 12 on behalf of all others similarly situated,

13 **Plaintiffs,**

14 **v.**

15 CITY OF SACRAMENTO; NATIONWIDE
 INVESTMENT SERVICES CORPORATION,
 16 an Ohio Corporation; INTERNATIONAL
 CITY/COUNTY MANAGERS
 17 ASSOCIATION-RETIREMENT
 CORPORATION, a District of Columbia
 18 Company,

19 **Defendants.**

Case No. 2:17-cv-02266-JAM-KJN

**STIPULATION TO EXTEND TIME
 FOR NATIONWIDE INVESTMENT
 SERVICES CORPORATION TO
 RESPOND TO COMPLAINT**

20
 21
 22
 23
 24
 25
 26
 27
 28

STIP. TO EXTEND NATIONWIDE TIME
 TO RESPOND TO COMPL.
 2:17-CV-02266-JAM-KJN

1 Pursuant to Civil Local Rule 144(a), Defendant Nationwide Investment Services
2 Corporation obtained consent from and stipulates with Plaintiffs Chris Andrew and Richard
3 Mayberry, subject to Court approval, to extend by 45 days the time for Nationwide to respond to
4 the Complaint served on November 1, 2017, such that Nationwide's new response date would be
5 January 5, 2018. Counsel for Nationwide was recently retained, and the stipulated extension and
6 requested Court approval is appropriate to allow sufficient time for Nationwide to investigate,
7 prepare its response, and obtain necessary internal reviews given the holiday period. This is the
8 first requested extension of any kind in the case by Nationwide, and the extension would not
9 affect any other court-ordered deadline.

10 Alternatively, if the Court does not approve the above stipulation, then Nationwide and
11 Plaintiffs stipulate pursuant to Civil Local Rule 144(a) to extend by 28 days the time for
12 Nationwide to respond to the Complaint, such that Nationwide's new response date would be
13 December 19, 2017.

14 Dated: November 22, 2017

Respectfully submitted,

O'MELVENY & MYERS LLP

17 By: /s/ Randall W. Edwards

Randall W. Edwards

Attorneys for Defendant

NATIONWIDE INVESTMENT SERVICES
CORPORATION

20 Dated: November 22, 2017

Respectfully submitted,

MASTAGNI HOLSTEDT

23 By: /s/ Jeffrey R.A. Edwards
24 (as authorized on November 22, 2017)

David P. Mastagni

Jeffrey R. A. Edwards

Attorneys for Plaintiffs

CHRIS ANDREW and RICHARD
MAYBERRY

1 **IT IS SO ORDERED.** Nationwide's deadline to respond to the Complaint shall be January 5,
2 2018.

3 Dated: 12/14/2017

4 /s/ John A. Mendez
5 Hon. John A. Mendez
6 United States District Court Judge
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28