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Counsel for Plaintiff and the Putative Class

**UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA**

16 BRENDAN PEACOCK, on Behalf of  
 17 Himself, and All Others Similarly  
 18 Situated,

Plaintiff,

v.

20 PABST BREWING COMPANY,  
 21 LLC,

Defendant.

Case No: 2:18-cv-00568-DJC-CKD

**JOINT STIPULATION AND ORDER TO  
 CONTINUE HEARING DATE ON  
 DEFENDANT'S MOTION FOR  
 SUMMARY JUDGMENT**

**Current Hearing Date:** September 14,  
 2023 at 1:30 p.m.

**Proposed Hearing Date:** September 28,  
 2023 at 1:30 p.m.

1 Plaintiff Brendan Peacock ("Plaintiff") and Defendant Pabst Brewing Company,  
2 LLC ("Pabst," and together with Plaintiff, the "Parties"), by and through their respective  
3 undersigned counsel, state as follows:

4 1. Pabst filed a motion for summary judgment on July 19, 2023 with a noticed  
5 hearing date of September 14, 2023. (ECF No. 71.)

6 2. Defendant does not require a hearing on Pabst's motion.<sup>1</sup> Pabst's notice  
7 of motion states: "Pabst is amenable to submitting this motion for decision without oral  
8 argument." (ECF No. 71 at page 2 lines 8-9.)

9 3. In the event the Court decides to hold a hearing on Pabst's motion for  
10 summary judgment, Plaintiff's counsel is not available on the noticed hearing date of  
11 September 14, 2023.

12 4. Therefore, should the Court elect to hold a hearing in the above matter,  
13 the Parties hereby stipulate and request to continue the hearing on Pabst's motion for  
14 summary judgment to September 28, 2023 at 1:30 p.m.

15 DATED: August 9, 2023

BUCHALTER  
A Professional Corporation

17 By: /s/ Oren Bitan

18 OREN BITAN  
19 MARK T. CRAMER  
JESSICA M. HAWK

20 Attorneys for Defendant  
21 PABST BREWING COMPANY, LLC

22  
23 BECK & LEE, P.A.

24 By: /s/ Elizabeth Lee Beck

25 ELIZABETH LEE BECK

26 Attorneys for Plaintiff

27 <sup>1</sup> Plaintiff takes no position but believes that a hearing on the matter could be  
28 helpful to the Court.

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**ORDER**

The Court, having reviewed the Parties' stipulation and for good cause shown, hereby issues an Order continuing the hearing on Pabst's motion for summary judgment (ECF No. 71) to September 28, 2023 at 1:30 p.m.

IT IS SO ORDERED.

DATED: August 9, 2023

/s/ Daniel J. Calabretta  
THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE