

1 Brad Seligman (SBN 083838)  
2 Jocelyn D. Larkin (SBN 110817)  
3 THE IMPACT FUND  
4 125 University Avenue  
5 Berkeley, CA 94710  
6 Telephone: 510.845.3473  
7 Facsimile: 510.845.3654

Joseph M. Sellers  
Christine E. Webber  
Jenny R. Yang  
COHEN MILSTEIN SELLERS & TOLL  
PLLC  
West Tower, Suite 500  
1100 New York Avenue  
Washington, DC 20005  
Telephone: 202.408.4600  
Facsimile: 202.408.4699

8 Attorneys for Plaintiffs

9 Theodore J. Boutrous, Jr. (SBN 132099)  
10 GIBSON, DUNN & CRUTCHER LLP  
11 333 South Grand Avenue  
12 Los Angeles, CA 90071  
13 Telephone: 213.229.7000  
14 Facsimile: 213.229.7520  
15 TBoutrous@gibsondunn.com

16 Attorney for Defendant

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 BETTY DUKES, PATRICIA SURGESON,  
21 EDITH ARANA, DEBORAH GUNTER and  
22 CHRISTINE KWAPNOSKI, on behalf of  
23 themselves and all others similarly situated,

24 Plaintiffs,

25 v.

26 WAL-MART STORES, INC.,

27 Defendant.

CASE NO.: C 01-2252-CRB

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING PAGE LIMITS  
FOR MOTION TO DISMISS FOURTH  
AMENDED COMPLAINT**

28 The undersigned counsel, on behalf of Betty Dukes, Patricia Surgeson, Edith Arana, Deborah  
Gunter, and Christine Kwapnoski (“Plaintiffs”) and Defendant Wal-Mart Stores, Inc. (“Wal-Mart”),  
hereby stipulate and agree as follows:

WHEREAS, Wal-Mart intends to respond to the Fourth Amended Complaint by filing a  
Motion to Dismiss or Strike;

1 WHEREAS, because of the nature and posture of this case Wal-Mart contends that there are  
2 an unusual number of issues subject to a Rule 12(b)(6) motion that warrant briefing, including the  
3 impact of the Supreme Court’s decision;

4 WHEREAS, this Court’s standing order limits motions to dismiss to 15 pages;

5 WHEREAS, the parties agree that additional briefing would likely benefit the Court and the  
6 judicial system by allowing the parties to adequately articulate their positions on the preliminary  
7 issues at this stage of this case;

8 WHEREAS, Plaintiffs and Wal-Mart have reached an agreement, subject to the Court’s  
9 approval, extending the page limits for the briefing on Wal-Mart’s anticipated Motion to Dismiss or  
10 Strike the Fourth Amended Complaint;

11 THEREFORE, Plaintiffs and Wal-Mart stipulate and agree as follows:

- 12 1. Wal-Mart’s Motion to Dismiss or Strike the Fourth Amended Complaint shall not
- 13 exceed 35 pages;
- 14 2. Plaintiffs’ Opposition to Wal-Mart’s Motion shall not exceed 45 pages;
- 15 3. Wal-Mart’s Reply to Plaintiffs’ Opposition, if any, shall not exceed 15 pages.

16  
17 Dated: December 1, 2011

18 By:           /s/ Brad Seligman          

By:           /s/ Theodore J. Boutrous, Jr.          

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Theodore J. Boutrous, Jr. (SBN 132099)  
GIBSON, DUNN & CRUTCHER LLP  
333 South Grand Avenue  
Los Angeles, CA 90071  
Telephone: 213.229.7000  
Facsimile: 213.229.7520

23 Attorneys for Plaintiffs

Attorney for Defendant

24 **I, Theodore J. Boutrous, Jr., attest that**  
25 **concurrence in the filing of this document**  
26 **has been obtained from the other signatory.**

1 PURSUANT TO STIPULATION, IT IS SO ORDERED  
2

3 DATE: December 8, 2011

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5 UNITED STATES DISTRICT JUDGE  
6 CHARLES R. BREYER



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