

1 SCOTT E. COLE (Cal. State Bar No. 160744)  
MATTHEW R. BAINER (Cal. State Bar No. 220972 )  
2 EILEEN M. BISSEN (Cal. State Bar No. 245821)  
SCOTT COLE & ASSOCIATES, APC  
3 1970 Broadway, Suite 950  
Oakland, California 94612  
4 Telephone: (510) 891-9800  
Facsimile: (510) 891-7030

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6 Attorneys for Plaintiff  
Prag Tierno

7  
8 JEFFREY D. WOHL (Cal. State Bar No. 96838)  
JOHN C. POST (Cal. State Bar No. 233236)  
RISHI N. SHARMA (Cal. State Bar No. 239034)  
9 PAUL, HASTINGS, JANOFSKY & WALKER LLP  
55 Second Street, 24th Floor  
10 San Francisco, California 94105-3441  
Telephone: (415) 856-7000  
11 Facsimile: (415) 856-7100

12 Attorneys for Defendant  
Rite Aid Corporation

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14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA

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17 PRAG TIERNO, individually and on  
behalf of all others similarly-situated,

18 Plaintiffs,

19 vs.

20 RITE AID CORPORATION, and DOES  
21 1 through 25, inclusive,

22 Defendants.

No. C05-02520 TEH

**STIPULATION AND ~~PROPOSED~~ ORDER  
TO CONTINUE 01/05/09 CASE  
MANAGEMENT CONFERENCE**

1 **STIPULATION**

2 Plaintiff Prag Tierno and defendant Rite Aid Corporation hereby request and stipulate that the  
3 case management conference, currently scheduled for January 5, 2009, at 1:30 p.m. (and related joint  
4 case management statement submission deadline), be continued to a date on or after February 16, 2009.  
5 The reason for the requested continuance is that the parties, with the assistance of a mediator, have been  
6 engaged in serious discussions about possible resolution of the action and, due to the upcoming holidays  
7 and their impact on defendant’s retail operations, those discussions will not be able to come to fruition  
8 earlier than January 2009. Both sides agree that the modest continuance sought could result in a  
9 significant savings in court and litigant resources, and therefore they respectfully request the Court’s  
10 indulgence in granting this continuance.

11 Dated: December \_\_\_\_, 2008.

SCOTT EDWARD COLE  
MATTHEW R. BAINER  
EILEEN M. BISSEN  
SCOTT COLE & ASSOCIATES, APC

14 By: \_\_\_\_\_  
15 Scott Edward Cole  
16 Attorneys for Plaintiff  
17 Prag Tierno

17 Dated: December 12, 2008.

JEFFREY D. WOHL  
JOHN C. POST  
RISHI N. SHARMA  
PAUL, HASTINGS, JANOFSKY & WALKER LLP

20 By: /s/ Jeffrey D. Wohl \_\_\_\_\_  
21 Jeffrey D. Wohl  
22 Attorneys for Defendant  
23 Rite Aid Corporation  
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**ORDER**

On the stipulation of the parties, and good cause appearing therefor,

IT IS ORDERED that the case management conference in this matter currently scheduled for January 5, 2009, be continued to March 16, 2009, at 1:30 p.m., with the joint case management conference statement submitted at least ten days before the conference.

Dated: December 15, 2008.



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