

1 Thomas G. Foley, Jr., State Bar No.: 065812
 2 Justin P. Karczag, State Bar No.: 223764
 3 **FOLEY BEZEK BEHLE & CURTIS, LLP**
 4 15 West Carrillo Street
 5 Santa Barbara, California 93101
 6 Telephone (805) 962-9495
 7 Fax: (805) 965-0722
 8 tfoley@foleybezek.com

9 Richard E. Donahoo, State Bar No.: 186957
 10 **DONAHOO & ASSOCIATES**
 11 440 W. First Street, Suite 101
 12 Tustin, California 92780
 13 Telephone (714) 953-1010
 14 Facsimile (714) 953-1777

15 Attorneys for Plaintiffs

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

18 GABE BEAUPERTHUY, et al.,

Case No. C 06 0715 SC

19 Plaintiffs,

**STIPULATION AND PROPOSED ORDER
 EXTENDING DEADLINE TO FILE
 OPPOSITION TO MOTION TO EXTEND
 DISCOVERY AND INCREASE THE NUMBER
 OF DEPOSITIONS**

20 v.

21 24 HOUR FITNESS USA, INC. a
 22 California corporation dba 24 HOUR
 23 FITNESS; SPORT AND FITNESS
 24 CLUBS OF AMERICA, INC., a California
 25 corporation dba 24 HOUR FITNESS,

COMPLAINT FILED: February 1, 2006
 TRIAL DATE: No date set.

26 Defendants.

27 **RECITALS**

28 A. Defendants have filed a motion to extend discovery and procedural deadlines and to increase the number of depositions (“the Motion”);

B. Since the filing of the Motion, Counsel for the parties have been engaged in telephonic and email communications regarding the Motion;

C. To allow Plaintiffs the opportunity to file an opposition to the motion, the parties agree that Plaintiffs shall have until Friday, October 2, 2009 to file an opposition to the motion.

1 **STIPULATION**

2 1. The parties hereby stipulate that Plaintiffs shall have until Friday, October 2, 2009 to
3 file an opposition to the Motion.

4 **SO STIPULATED:**

5 Dated: September 30, 2009

LITTLER MENDELSON, P.C.

6
7 By: _____/s/_____
8 John C. Kloosterman
9 Littler Mendelson, P.C., Attorneys for
10 Defendant

11 Dated: September 30, 2009

**DONAHOO & ASSOCIATES
FOLEY BEZEK BEHLE & CURTIS, LLP**

12
13 By: _____/s/_____
14 Richard E. Donahoo
15 Thomas G. Foley, Jr.
16 Justin P. Karczag
17 Attorneys for Plaintiffs
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~~PROPOSED~~ ORDER

Upon reading the forgoing Stipulation, and good cause appearing, therefore,
IT IS ORDERED THAT,

1. Plaintiffs shall have until Friday, October 2, 2009 to file their opposition to Defendants' motion to extend discovery and procedural deadlines and to increase the number of depositions.

SO ORDERED.

Dated: October 8, 2009



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