

1 MORGAN, LEWIS & BOCKIUS LLP
REBECCA EISEN, SBN 96129
2 One Market, Spear Street Tower
San Francisco, CA 94105-1126
3 Telephone: 415.442.1000; Facsimile:
415.442.1001
E-mail: reisen@morganlewis.com

4 MORGAN, LEWIS & BOCKIUS LLP
5 MICHAEL J. PUMA (admitted *pro hac vice*)
1701 Market Street
6 Philadelphia, PA 19103
Telephone: 215.963.5000; Facsimile:
7 215.963.5001
Email: mpuma@morganlewis.com

8 *Counsel for Defendant, The Hershey
Company*

THE BRANDI LAW FIRM
THOMAS J. BRANDI, SBN 53208
BRIAN J. MALLOY, SBN 234882
354 Pine Street, Third Floor
San Francisco, CA 94104
Telephone: 415.989.1800; Facsimile:
415.707.2024
E-mail: tjb@brandilaw.com

HOBAN & FEOLA, LLC
DAVID C. FEOLA (admitted *pro hac vice*)
1626 Wazee Street, Suite 2A
Denver, Colorado 80202
Telephone: 303.674.7000; Facsimile:
303.382.4685
E-mail: David@Feolalaw.com

Counsel for Plaintiffs

9
10 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
11 **SAN FRANCISCO DIVISION**

12 RYAN ZULEWSKI, JOHN DAVIS, ALEX
LANGAN, NICHOLAS ESPOSITO, BRANDON
13 TURNER, SHARRELL FISHER, JAY COOK,
MARKESSA CARTER, RACHEL ECKROTH,
14 CHRISTINA TYSON, SHANE HUEY,
DOMINICK IPPOLITO, ROBERT CHURNEY,
15 HARRY KLOS, CONSTANCE COLE,
BRITTANY DANGERFIELD, TRACY DEBUS,
16 TERESA FLORES, CASSANDRA HALE,
BRETT KITTERMAN, AMY KRAMER, CHRIS
17 LANDERS, KIMBERLY LEKARCYK, TYLER
MCKENZIE, ANDREW MEEK, DAVID
18 RISSER, SUSAN SPOHN, MIKE THOMPSON,
YOLANDA TURNER, JENNA VERRASTRO,
19 ERIN WADLEY, ANDREA GREENWAY
SMITH, BRENT BRUST, AMAR ANDERSON,
20 SHANNON YOUNG, JESSICA JOHNSON,
CHRISTINA LEE, JOHN FINERTY, BRADLEY
21 RICHARDSON, ASHLEY GATES, VANESSA
PIANALTO, ZACHARY MITCHELL,
22 RODERICK BELL, BRITTNEY SELLERS,
PATRICIA GENARD, JESSICA GERSTNER,
23 CATHY ADDAMAN, SCOTTIE WELLS,
MICHAEL STEWART, SHERYL PAXTON,
24 DARRIN MCGOWAN, KANDI FRANKLIN,
BRODIE BOILARD, and STEPHANIE
25 RIPBERGER on their own behalf and on behalf
of all others similarly situated,

26 Plaintiffs,

27 v.

28 THE HERSHEY COMPANY, Defendant.

Case No. 3:11-CV-05117 NC

**JOINT STIPULATED REQUEST FOR
ORDER EXTENDING TIME
PURSUANT TO CIVIL L.R. 6-2 FOR
DEFENDANT TO REPLY IN
FURTHER SUPPORT OF ITS MOTION
TO DENY CLASS CERTIFICATION**

1 Defendant The Hershey Company (“Defendant”) and Plaintiffs Ryan Zulewski, John
2 Davis, Alex Langan, Nicholas Esposito, Brandon Turner, Sharrell Fisher, Jay Cook, Markessa
3 Carter, Rachel Eckroth, Christina Tyson, Shane Huey, Dominick Ippolito, Robert Churney, Harry
4 Klos, Constance Cole, Brittany Dangerfield, Tracy DeBus, Teresa Flores, Cassandra Hale, Brett
5 Kitterman, Amy Kramer, Chris Landers, Kimberly Lekarcyk, Tyler McKenzie, Andrew Meek,
6 David Risser, Susan Spohn, Mike Thompson, Yolanda Turner, Jenna Verrastro, Erin Wadley,
7 Andrea Greenway Smith, Brent Brust, Amar Anderson, Shannon Young, Jessica Johnson,
8 Christina Lee, John Finerty, Bradley Richardson, Ashley Gates, Vanessa Pianalto, Zachary
9 Mitchell, Roderick Bell, Brittney Sellers, Patricia Genard, Jessica Gerstner, Cathy Addaman,
10 Scottie Wells, Michael Stewart, Sheryl Paxton, Darrin McGowan, Kandi Franklin, Brodie
11 Boilard, and Stephanie Ripberger (“Plaintiffs”), by and through their respective counsel, request
12 an order extending the time for Defendant to reply in further support of its Motion to Deny Class
13 Certification pursuant to Civil Local Rules 6-2 and 7-12 of the Northern District of California, as
14 follows:

15 1. WHEREAS, on December 29, 2011, Plaintiffs filed an Amended Complaint in
16 their action against Defendant in the United States District Court for the Northern District of
17 California, Case No. 3:11-CV-05117, entitled *Zulewski, et al. v. The Hershey Company*;

18 2. WHEREAS, on January 6, 2012, the parties filed a Stipulation to Extend
19 Defendant’s Deadline to Respond to Plaintiffs’ Amended Complaint until January 20, 2012,
20 pursuant to Civil Local Rule 6-1(a);

21 3. WHEREAS, on January, 20, 2012, Defendant filed its Answer and Affirmative
22 Defenses to Plaintiffs’ Purported Amended Collective and Class Action Complaint;

23 4. WHEREAS, on January 20, 2012, Defendant also filed its Motion to Deny Class
24 Certification;

25 5. WHEREAS, on February 3, 2012, Plaintiffs filed their Opposition to Defendant’s
26 Motion to Deny Class Certification;

27 6. WHEREAS, pursuant to Civil Local Rule 7-3(c), Defendant’s Reply in Further
28 Support of its Motion to Deny Class Certification by default would be due on February 10, 2012;

1 7. WHEREAS, the parties have discussed and agreed to an extension until February
2 21, 2012, for Defendant to reply in further support of its Motion to Deny Class Certification;

3 8. WHEREAS, this extension is requested because of a death in the family
4 experienced by the principal drafter of Defendant's motion and anticipated reply;

5 9. WHEREAS, Defendant's Motion to Deny Class Certification is noticed for April
6 4, 2012; and

7 10. WHEREAS, this extension will not alter the date of any event or any deadline
8 already fixed by Court Order or the date of the hearing on the Motion;

9 THEREFORE, the parties respectfully request that Defendant have until February 21,
10 2012, to file its Reply in Further Support of its Motion to Deny Class Certification.

11
12 Dated: February 6, 2012

MORGAN LEWIS & BOCKIUS, LLP

13 By: /s Michael J. Puma
14 Michael J. Puma

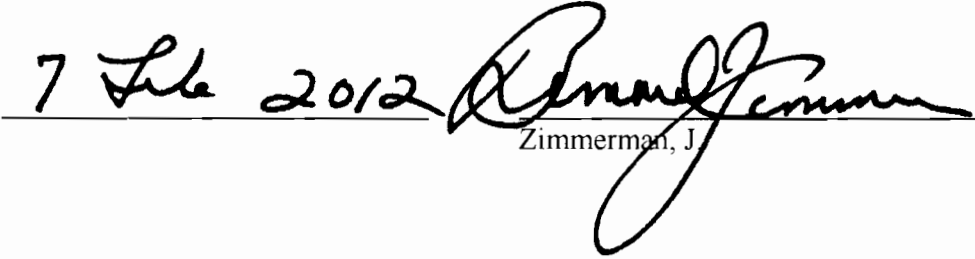
15 *Counsel for Defendant. The Hershey Company*
16 THE BRANDI LAW FIRM

17 By: /s Thomas J. Brandi
18 Thomas J. Brandi

19 *Counsel for Plaintiffs*

20
21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

22 DATED: 7 Feb 2012


23 Zimmerman, J