

1 Robert M. Gagliasso, Esq. SBN 162082
Andrew V. Stearns, Esq. SBN 164849
2 Steven M. Berki, Esq. SBN 245426
BUSTAMANTE, O'HARA & GAGLIASSO
3 River Park Tower
333 W. San Carlos St., 8th Floor
4 San Jose, California 95110
Telephone: (408) 977-1911
5 rgagliasso@boglawyers.com
astearns@boglawyers.com
6 sberki@boglawyers.com

7 Attorneys for Plaintiffs
MOLLY STEARNS, RUTH ROSE,
8 DENNIS FULLER, BONNIE FULLER,
DAN SCHLESINGER, KAREN WILLIAMS
9 and BRYAN WILLIAMS

10 PILLSBURY WINTHROP SHAW PITTMAN LLP
VERNON H. GRANNEMAN (SBN 083532)
11 vernon.granneman@pillsburylaw.com
DIANNE L. SWEENEY (SBN 187198)
12 dianne.sweeney@pillsburylaw.com
13 2475 Hanover Street
Palo Alto, CA 94304-1114
14 Telephone: (650) 233-4500
15 Facsimile: (650) 233-4545

16 OPPENHEIMER WOLFF & DONNELLY LLP
ANDREW S. HANSEN (admitted *Pro Hac Vice*)
17 ahansen@oppenheimer.com
HEIDI A. O. FISHER (admitted *Pro Hac Vice*)
18 hfisher@oppenheimer.com
MEGHAN M. ANZELC (admitted *Pro Hac Vice*)
19 manzelc@oppenheimer.com
20 Plaza VII, Suite 3300
45 South Seventh Street
21 Minneapolis, MN 55402
Telephone: (612) 607-7000
22 Facsimile: (612) 607-7100

23 Attorneys for Defendants
24 SELECT COMFORT RETAIL CORPORATION,
BED BATH & BEYOND, INC. and THE SLEEP TRAIN, INC.
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1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION

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5 MOLLY STEARNS, RUTH ROSE, DENNIS) Case No. C08 02746 SC
6 FULLER, BONNIE FULLER, DAN)
7 SCHLESINGER, KAREN WILLIAMS, AND) **STIPULATION TO RESCHEDULE CASE**
8 BRYAN WILLIAMS) **MANAGEMENT CONFERENCE DUE TO**
9) **UNAVAILABILITY OF LEAD TRIAL**
10) **COUNSEL; AND [PROPOSED] ORDER**
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Plaintiffs,)
vs.) **Local Rule 6-1**
SELECT COMFORT RETAIL)
CORPORATION, a Minnesota Corporation;) **Complaint Filed: April 25, 2008**
BED BATH & BEYOND, INC., a New York)
Corporation; THE SLEEP TRAIN, INC., a)
California Corporation, and DOES 1)
through 50,000, inclusive,)
Defendants.)

14 IT IS HEREBY STIPULATED AND AGREED BY ALL PARTIES AND THEIR COUNSEL OF
15 RECORD:

17 WHEREAS, by Clerk's Notice dated February 22, 2012, the Court scheduled a Case
18 Management Conference for April 20, 2012. (ECF Doc. No. 114.)

19 WHEREAS, Andrew Hansen, lead trial counsel for Defendants, is currently in trial on
20 another matter before the Honorable Thomas C. Platt in the United States District Court for
21 the Eastern District of New York. The trial is not expected to be concluded by April 20, 2012.
22 The trial is expected to conclude sometime in May. Mr. Hansen will therefore be unavailable
23 for the Case Management Conference as currently scheduled.

24 WHEREAS, the parties have scheduled mediation for May 16, 2012. The parties were
25 unable to schedule the mediation for earlier than May 16 due to Mr. Hansen's trial schedule, as
26 well as the mediator's trial schedule.

27 NOW THEREFORE, the parties hereby agree and stipulate that the Case Management
28 Conference scheduled for April 20, 2012 should be rescheduled. The parties propose that the

1 Case Management Conference be rescheduled for June 8, 2012.

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3 Dated: April 9, 2012

BUSTAMANTE, O'HARA & GAGLIASSO

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By _____ /S/

Robert M. Gagliasso

Andrew V. Stearns

Steven M. Berki

Attorneys for Plaintiffs

MOLLY STEARNS, RUTH ROSE, DENNIS FULLER,

BONNIE FULLER, DAN SCHLESINGER, KAREN

WILLIAMS, AND BRIAN WILLIAMS

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10 Dated: April 9, 2012

OPPENHEIMER WOLFF & DONNELLY LLP

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By _____ /S/

Andrew S. Hansen

Heidi A.O. Fisher

Meghan M. Anzelc

Attorneys for Defendants

SELECT COMFORT RETAIL CORPORATION, BED BATH

& BEYOND INC., and THE SLEEP TRAIN, INC.

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GENERAL ORDER 45(X)(B) STATEMENT

Pursuant to General Order No. 45(X)(b), I hereby attest that concurrence in the filing of this document has been obtained from counsel for Defendants SELECT COMFORT RETAIL CORPORATION, BED BATH & BEYOND INC., and THE SLEEP TRAIN, INC, and that I have retained in my possession all signatures of counsel subject to this stipulation.

By _____/S/_____
Robert M. Gagliasso

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~~PROPOSED~~ ORDER

The Court, having considered the parties' Stipulation, the documents and records on file with the Court, and finding good cause therefore, hereby orders:

Due to the unavailability of lead trial counsel for Defendants to appear at the Case Management Conference, currently scheduled for April 20, 2012, the Case Management Conference will be rescheduled for June 8, 2012, at 10:00 a.m.

IT IS SO ORDERED.

Dated: 4/9/12

By: _____
Hon. _____
United States District Judge

