

1 GENOVESE JOBLOVE & BATTISTA P.A.
 MICHAEL D. JOBLOVE
 2 JONATHAN E. PERLMAN
 Bank of America Tower
 3 100 Southeast 2nd Street, 44th Floor
 Miami, Florida 33131
 4 Telephone: (305) 349-2300
 Facsimile: (305) 349-2310
 5 Email: mjoblove@gjb-law.com
jperlman@gjb-law.com

7 GLYNN & FINLEY, LLP
 CLEMENT L. GLYNN, Bar No. 57117
 8 ADAM FRIEDENBERG, Bar No. 205778
 MAUREEN RODGERS, Bar No. 245876
 9 One Walnut Creek Center
 100 Pringle Avenue, Suite 500
 10 Walnut Creek, CA 94596
 Telephone: (925) 210-2800
 11 Facsimile: (925) 945-1975
 Email: cglynn@glynnfinley.com
 12 afriedenberg@glynnfinley.com
mroddgers@glynnfinley.com

14 Attorneys for Defendant Burger King Corporation

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

19 MIGUEL CASTANEDA on behalf of)
 himself and others similarly situated)
 20)
 Plaintiff,)
 21)
 vs.)
 22)
 BURGER KING CORPORATION and)
 23 BURGER KING HOLDINGS, INC.,)
 24)
 Defendants.)
 25 _____)

Case No. CV 08-4262 WHA
STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME FOR
DEFENDANT TO FILE ITS REPLY IN
SUPPORT OF ITS MOTION TO STAY
CERTAIN DISCOVERY

26 Pursuant to Local Rules 6-1, 6-2 and 7-12, Plaintiff Miguel Castaneda and Defendant
 27 Burger King Corporation (“Burger King”) hereby stipulate as follows:
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WHEREAS, on December 30, 2008, Burger King filed a motion to stay certain discovery pending the Court's ruling on the motion to dismiss, and Plaintiff filed its opposition to the motion on January 8, 2009;

WHEREAS, Burger King's reply in support of its motion to stay certain discovery is due on January 29, 2009;

WHEREAS, lead counsel for Burger King, Michael Joblove, will be traveling on January 29, 2009 from California to Florida, after traveling to Florida from California to take the Plaintiff's deposition in this case;

WHEREAS, the parties have agreed, and request the Court to order, that Burger King may have an extension of two court days (four calendar days) to file its reply in support of its motion to stay certain discovery.

WHEREAS, the time extension will not affect the scheduled hearing date set for February 12, 2009 at 8:00 a.m.;

THEREFORE, IT IS HEREBY STIPULATED between the parties as follows:

1.) That Burger King may file its reply in support of its motion to stay certain discovery on Monday, February 2, 2009.

SO STIPULATED.

Dated: January 29, 2009

FOX & ROBERTSON
TIMOTHY P. FOX, ESQ.
AMY F. ROBERTSON, ESQ. (*pro hac vice*)
3801 East Florida Avenue, Suite 400
Denver, CO 80210

LEWIS, FEINBERG, LEE, RENAKER &
JACKSON, P.C.
BILL LANN LEE, ESQ.
JULIA CAMPINS, ESQ.
1330 Broadway, Suite 1800
Oakland, CA 94612

By /s/ Amy F. Robertson
Amy F. Robertson, Esq. (*pro hac vice*)
Attorneys for Plaintiff

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Dated: January 29, 2009

GENOVESE JOBLOVE & BATTISTA, P.A.
MICHAEL D. JOBLOVE (*pro hac vice*)
JONATHAN E. PERLMAN (*pro hac vice*)
100 SE Second Street, 44th Floor
Miami, FL 33131

GLYNN & FINLEY, LLP
CLEMENT L. GLYNN
ADAM FRIEDENBERG
MAUREEN RODGERS
One Walnut Creek Center
100 Pringle Avenue, Suite 500
Walnut Creek, CA 94596

By /s/ Maureen Rodgers
Maureen Rodgers, Esq.
Attorneys for Defendant Burger King
Corporation

ATTESTATION

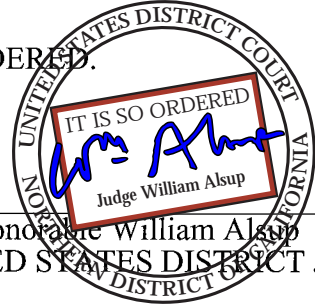
I, Maureen Rodgers, hereby attest that, pursuant to General Order 45, Section XB, concurrence
in the filing of this document has been obtained from each of the other signatories herein.

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 30, 2009



The Honorable William Alsup
UNITED STATES DISTRICT JUDGE