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9 Attorneys for Defendant
 INTERNATIONAL BUSINESS MACHINES
 10 CORPORATION

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13

14 **LEE KEMP, individually and on behalf of**
 15 **all others similarly situated, the general**
 16 **public, and as an "aggrieved employee"**
under the California Labor Code Private
Attorney General Act,

17 **Plaintiff,**

18 v.

19 **INTERNATIONAL BUSINESS**
 20 **MACHINES CORP., a New York**
 21 **Corporation, and DOES 1-50, inclusive,**

22 **Defendant.**

Case No. CV 09-03683-MHP

STIPULATION EXTENDING
DEFENDANT'S TIME TO RESPOND
TO FIRST AMENDED COMPLAINT

23 Pursuant to Local Rule 6-1(a), Plaintiff Lee Kemp ("Plaintiff") and Defendant
 24 International Business Machines Corporation ("Defendant"), by and through their undersigned
 25 counsel, hereby stipulate to an extension of time for Defendant to move, plead, or otherwise
 26 respond to Plaintiff's First Amended Complaint filed on September 15, 2009. The parties hereby
 27 stipulate and agree that Defendant shall have until December 7, 2009, to move, plead, or
 28

1 otherwise respond to the First Amended Complaint. This extension will not alter the date of any
2 event or deadline already fixed by the Court.

3
4 **IT IS SO STIPULATED.**

5
6 Dated: September ²⁴__, 2009

JONES DAY

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8 By: *C. Nasser*
9 Catherine S. Nasser
10 Attorneys for Defendant
INTERNATIONAL BUSINESS
MACHINES CORPORATION

11 Dated: September ²⁴__, 2009

THIERMAN LAW FIRM, PC

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13 By: *M. R. Thierman*
14 Mark R. Thierman
15 Attorneys for Plaintiff
LEE KEMP

