

1 MARGARET A. KEANE (State Bar No. 255378)
 mkeane@dl.com
 2 SEBASTIAN L. MILLER (State Bar No. 265793)
 smiller@dl.com
 3 DEWEY & LEBOEUF LLP
 1950 University Avenue
 4 Suite 500
 East Palo Alto, CA 94303
 5 Telephone: (650) 845-7000
 Facsimile: (650) 845-7333

6 *Attorneys for Defendant*
 7 *ACCRETIVE, LLC*

8 **IN THE UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **SAN FRANCISCO DIVISION**

11 KENYA BODDIE AND RAMONDA CARLOS,) Case No. CV-09 5553 CRB
 Individually situated and on behalf of others)
 12 similarly situated,)
)
 13 Plaintiffs,)
)
 14 vs.)
)
 15 AXIANT, LLC; ACCRETIVE, LLC;)
 MANN BRACKEN, LLP; and)
 16 DOES 1 through 25, inclusive,)
)
 17 Defendants.)

**STIPULATION AND [PROPOSED]
 ORDER EXTENDING TIME FOR
 DEFENDANTS TO RESPOND TO
 THE COMPLAINT**

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 19 WHEREAS, this action was initially filed on November 23, 2009;
 20 WHEREAS, a summons was issued as to Defendant Axiant, LLC on November 23,
 21 2009;
 22 WHEREAS, Plaintiffs filed the First Amended Complaint on December 7, 2009 to
 23 include additional defendants, Accretive, LLC (“Accretive”) and Mann Bracken, LLP;
 24 WHEREAS, a First Amended Complaint Summons (“Amended Summons”) was issued
 25 on December 8, 2009;
 26 WHEREAS, Plaintiffs served the Amended Summons and First Amended Complaint on
 27 Accretive on December 8, 2009;

1 WHEREAS, Plaintiffs agreed to extend until January 25, 2010 the date on which
2 Accretive is required to answer, move or otherwise respond to the First Amended Complaint and
3 on January 5, 2010 an order extending Accretive's time to respond was executed by this court;

4 WHEREAS, Plaintiffs agreed to extend until January 29, 2010 the date on which Mann
5 Bracken, LLP is required to answer, move or otherwise respond to the First Amended Complaint
6 and on January 5, 2010 an order extending Mann Bracken, LLP's time to respond was executed
7 by this court; and

8 WHEREAS, Accretive has requested an additional extension of time, consistent with the
9 extension received by Mann Bracken, LLP, within which to move against, answer or otherwise
10 respond to the First Amended Complaint, and Plaintiffs' counsel has agreed to that request.

11 NOW THEREFORE, the undersigned parties through their respective counsel stipulate
12 and respectfully request on behalf of Accretive that the Court order as follows:

13 1. The undersigned attorney hereby accepts service of the First Amended Complaint
14 on behalf of Accretive.

15 2. The time for Accretive to move against, answer or otherwise respond to the First
16 Amended Complaint shall be extended to and including Friday, January 29, 2010. This is the
17 second extension of Accretive's time to move against, answer or otherwise respond to the First
18 Amended Complaint in this action.

19 This stipulation may be executed in counterparts, including by signature transmitted by
20 facsimile or e-mail.

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Dated: January 20, 2009

Respectfully submitted,
DEWEY & LEBOEUF LLP

By: /s/ Margaret Keane
Margaret A. Keane
Attorney for Defendant Accretive, LLC

Dated: January 20, 2009

HERRON & HERRON

By: /s/ J. Wynn Herron
J. Wynne Herron
Laura Herron Weber
Attorneys for Plaintiffs

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 22, 2009

HONORABLE CHARLES R. BREYER

