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27 **UNITED STATES DISTRICT COURT**

28 **NORTHERN DISTRICT OF CALIFORNIA OF CALIFORNIA**

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AMIR KHAN, on behalf of himself and all others similarly situated,,

Plaintiffs,

vs.

ORKIN EXTERMINATING COMPANY, INC. a Delaware corporation; ROLLINS,

Case No. C10-02156 ADR (JCS)

STIPULATION TO EXTEND BY 21 DAYS DEFENDANTS ORKIN EXTERMINATING COMPANY, INC., ROLLINS, INC., ORKIN, INC. AND ORKIN, LLC'S LAST DAY TO RESPOND TO PLAINTIFF'S CLASS ACTION COMPLAINT

1 INC. a Delaware corporation; ORKIN,
2 INC., a Delaware corporation; ORKIN,
3 LLC, a Delaware Limited Liability
4 Corporation,

5 Defendants.

6 Complaint Filed: May 19, 2010
7 Trial Date: None Set
8

9 **IT IS HEREBY STIPULATED** by and between Plaintiff Amir Kahn
10 (“Plaintiff”) and Defendants Orkin Exterminating Company, Inc., Rollins, Inc., Orkin,
11 Inc., and Orkin, LLC (“Defendants” and, together with Plaintiff, the “Parties”), by and
12 through their undersigned counsel of record, as follows:
13

14 **Whereas**, Defendants were recently served with the above-captioned class action
15 Complaint; and
16

17 **Whereas**, absent this Stipulation, Defendants’ last day to respond to Plaintiff’s
18 Complaint is June 11, 2010; and
19

20 **Whereas**, Defendants – out-of-state corporations – have only recently engaged
21 defense counsel, and defense counsel has requested, and received, from Plaintiff, an
22 additional twenty-one (21) days in which to assess and analyze Plaintiff’s Complaint
23 and prepare an appropriate response; and
24

25 **Whereas**, Northern District Rule 6-1(a) provides that parties may stipulate to
26 extend the time within which to respond to a complaint provided the change will not
27 alter the date for any hearing set by the court; and
28

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1 **Whereas**, the change in responsive pleading date resulting from the Parties'
2 Stipulation will not alter the date for any hearing set by this Court.

3
4 **WHEREFORE**, good cause being shown:

5
6 **The Parties Stipulate** that Defendants shall have an additional twenty-one (21)
7 days, up to and including July 2, 2010, in which to respond to Plaintiff's Complaint.

8
9
10 Dated: June 3, 2010

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A Professional Corporation
Mark L. Eisenhut
Matthew R. Orr

11
12
13 By: /s/ Mark L. Eisenhut
Mark L. Eisenhut

14 Attorneys for Defendants

15
16 Dated: June 3, 2010

HOFFMAN & LAZEAR
ARTHUR W. LAZEAR
MORGAN M. MACK

17
18 By: /s/ Morgan M. Mack
Morgan M. Mack

19 Attorneys for Plaintiff Amir Kahn

20
21 **Signature Certification**

22 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and
23 Procedures Manual, I hereby certify that the content of this document is acceptable to
24 Morgan M. Mack, counsel for plaintiff Amir Kahn, and that I have obtained Mr.
Mack's's authorization to affix his electronic signature to this document

25 Dated: June 3, 2010

By: /s/ Mark L. Eisenhut
Mark L. Eisenhut

26 Attorneys for Defendants

27
28
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CERTIFICATE OF SERVICE
(United States District Court)

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 610 Newport Center Drive, Suite 700, Newport Beach, CA 92660.

On June 3, 2010, I have served the foregoing document described as STIPULATION TO EXTEND BY 21 DAYS DEFENDANTS ORKIN EXTERMINATING COMPANY, INC., ROLLINS, INC., ORKIN, INC. AND ORKIN, LLC'S LAST DAY TO RESPOND TO PLAINTIFF'S CLASS ACTION COMPLAINT on the following person(s) in the manner(s) indicated below:

SEE ATTACHED SERVICE LIST

(BY ELECTRONIC SERVICE) I am causing the document(s) to be served on the Filing User(s) through the Court's Electronic Filing System.

(FEDERAL) I declare that I am a member of the Bar and a registered Filing User for this District of the United States District Court.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Certificate is executed on June 3, 2010, at Newport Beach, California.

s/Mark L. Eisenhut
Mark L. Eisenhut

Dated: June 4, 2010



CALL & JENSEN
A PROFESSIONAL CORPORATION

SERVICE LIST

Attorneys for Plaintiffs

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