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 DIESEL U.S.A., INC.

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION
 11

12 RYAN GREKO, individually and on
 13 behalf of all others similarly situated,

14 Plaintiffs,

15 v.

16 DIESEL U.S.A., INC., a New York
 corporation; and DOES 1-100, inclusive,

17 Defendant.
 18

Case No. 3:10-CV-02576-RS

**STIPULATED REQUEST FOR ORDER
 CHANGING TIME OF SUMMARY
 JUDGMENT HEARING AND [PROPOSED]
 ORDER AS MODIFIED BY THE COURT**

Class Action

Judge: The Hon. Richard Seeborg
 Courtroom: 3, 17th Floor
 Action Filed: June 10, 2010

1 STIPULATION

2 Subject to the approval of the Court, plaintiff Ryan Greko (“Plaintiff”) and defendant
3 Diesel U.S.A., Inc. (“Defendant”) (Plaintiff and Defendant are referred to hereafter as the
4 “Parties”), through their respective counsel of record hereby stipulate to the following in
5 accordance with Civil Local Rules 6-1 and 6-2 :

6 WHEREAS, on March 3, 2011, Defendant filed its motion for summary judgment, the
7 hearing for which is presently scheduled to take place on April 7, 2011, in accordance with Civil
8 Local Rule 7-2(a);

9 WHEREAS, Plaintiff’s deadline, according to Civil Local Rule 7-3(a), for filing his
10 Opposition to Defendant’s Motion for Summary Judgment is March 17, 2011, and Defendant’s
11 deadline, according to Civil Local Rule 7-3(c), for filing its Reply in support of its Motion for
12 Summary Judgment is March 24, 2011;

13 WHEREAS, the Parties had a dispute over the need for and duration of an extension of
14 Plaintiff’s deadline for filing his Opposition to Defendant’s Motion for Summary Judgment;

15 WHEREAS, the Parties were able to resolve the dispute in an overall agreement without
16 requiring the Court’s assistance;

17 WHEREAS, the Parties have met and conferred and jointly agreed to a two-week
18 extension of Plaintiff’s deadline for filing his opposition to Defendant’s Motion for Summary
19 Judgment, with Defendant’s reply brief in support of its Motion for Summary Judgment due one
20 week later, and a three-week extension of the date of the hearing for Defendant’s Motion for
21 Summary Judgment;

22 WHEREAS, the three-week extension of the hearing date is necessary to accommodate
23 the schedule of lead counsel for Defendant, Harry I. Johnson, III, who has a long-scheduled
24 family vacation in the Grand Canyon that would conflict with a two-week extension of the
25 hearing date;

26 WHEREAS, a three-week extension of the date of the hearing for Defendant’s Motion for
27 Summary Judgment will have little or no effect on the remaining schedule of the case;

28 WHEREAS, the Parties also agree that there will be no further extensions of the summary

1 judgment and class certification hearing or motion filing dates, absent some personal emergency;

2 WHEREAS, counsel for Plaintiff has agreed to Defendant filing this Stipulation with his
3 electronic signature;

4 THEREFORE, the Parties hereby submit this Stipulated Request for an Order Changing
5 Time of Summary Judgment Hearing, and request that the Court order Plaintiff to file his
6 Opposition to Summary Judgment by March 31, 2011, Defendant to file its Reply in support of its
7 Motion for Summary Judgment by April 7, 2011, the hearing for Defendant's Motion for
8 Summary Judgment to take place on ~~April 28,~~ ^{May 5,} 2011, or as soon thereafter according to the Court's
9 convenience, and the Parties be precluded from any further extensions of the summary judgment
10 and class certification hearing or motion filing dates, absent some personal emergency. This
11 Stipulated Request shall only be effective if approved in whole by order of the Court.

12 Dated: March 11, 2011

ARENT FOX LLP

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15 By: /s/ Harry I. Johnson, III
16 Harry I. Johnson, III
17 Attorneys for Defendant DIESEL U.S.A.,
18 INC.


19 Dated: March 11, 2011

LAW OFFICES OF DANIEL L. FEDER

20 By: /s/ Daniel L. Feder
21 Daniel L. Feder
22 Attorneys for Plaintiff RYAN GREKO

23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24 Dated: 3/14/11



25 Hon. Richard Seeberg
26 U.S. District Court Judge
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