James C. Shah (SBN 260435) SHEPHERD, FINKELMAN, MILLER & SHAH, LLP 401 West A Street, Suite 2350 San Diego, CA 92101 Telephone: (619) 235-2416 Facsimile: (619) 235-7334 ishah@sfmslaw.com 4 5 [Other Counsel listed on signature page] Attorneys for Plaintiff and on Behalf 6 of All Others Similarly Situated 7 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP 8 A Limited Liability Partnership **Including Professional Corporations** P. CRAIG CARDON, Cal. Bar No. 168646 ccardon@sheppardmullin.com BRIAN R. BLACKMAN, Cal. Bar No. 196996 bblackman@sheppardmullin.com JAY T. RAMSEY, Cal. Bar No. 273160 jramsey@sheppardmullin.com 4 Embarcadero Center, 17th Floor San Francisco, California 94111-4109 Telephone: 415-434-9100 Facsimile: 415-434-3947 14 Attorneys for Defendant SAFEWAY INC. 15 16 UNITED STATES DISTRICT COURT 17 NORTHERN DISTRICT OF CALIFORNIA 18 19 MICHAEL RODMAN, on behalf of himself Case No. 3:11-CV-03003-JST (JCS) and all others similarly situated, STIPULATION AND [PROPOSED] 20 ORDER MODIFYING SUPPLEMENTAL Plaintiff, **BRIEFING SCHEDULE** 21 v. 22 SAFEWAY INC., The Honorable Jon S. Tigar 23 Defendant. 24 25 26 27 28 Case No. 3:11-CV-03003-JST (JCS) SMRH:433258997.1 STIP. & ORDER MODIFYING SUPP. BRIEFING SCHEDULE

Rodman v. Safeway Inc.

Doc. 204

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- 1					
1	Pursuant to Northern District of California Civil Local Rules 6-2 and 7-12, plaintiff				
2	Michael M. Rodman ("Plaintiff") and defendant Safeway Inc. ("Safeway" and, collectively, the				
3	"Parties"), by and through their counsel, stipulate as follows:				
4	1. The parties, pursuant to the case management schedule, filed cross motions for				
5	partial summary judgment (ECF No. 171) and summary judgment (ECF No. 173) on July 18,				
6	2014, and opposition briefs on August 11, 2014 (ECF Nos. 183 and 187) (collectively the "Cross-				
7	Motions"). The Court heard argument on the Cross-Motions on September 11, 2014. ECF No.				
8	198.				
9	2. Following argument on the Cross-Motions, the Court ordered supplemental				
0	briefing on the issue of unconscionability with opening briefs due on Wednesday, October 1, 2014				
1	and response briefs, if any, due on Wednesday, October 15, 2014 (ECF No. 200).				
2	3. Lead defense counsel has suffered a death in his family and will be unavailable for				
3	next few days. In light of this, the parties have agreed, subject to the Court's approval, that the				
4	supplemental briefing schedule should be extended two days so that opening briefs will be due on				
5	Friday, October 3, 2014 and response briefs, if any, will be due Friday, October 17, 2014.				
6	4. The parties have not previously sought an extension of the submission deadlines for				
7	the supplemental briefing discussed above. This brief extension will not adversely impact or delay				
8	the case schedule.				
9	IT IS SO STIPULATED.				
20	Dated: September 29, 2014 SHEPHERD, FINKELMAN, MILLER & SHAH LLP				
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23	By				
24	Attorneys for Plaintiffs				
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STIP. & ORDER MODIFYING SUPP. BRIEFING SCHEDULE

SMRH:433258997.1

1	Dated: Septe	ember 29, 2014	CHIMICLES & TIKELLIS, LLP		
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3					
4			By/s/ Steven A. Schwartz		
5			STEVEN A. SCHWARTZ TIMOTHY N. MATHEWS		
6			Attorneys for Plaintiffs		
7	Dated: Septe	ember 29, 2014	SHEPPARD MULLIN RICHTER & HAMPTON LLP		
8					
9			By /s/ Brian R. Blackman		
10			CRAIG CARDON BRIAN R. BLACKMAN		
11			JAY T. RAMSEY Attorneys for Defendant SAFEWAY INC.		
12					
13	<u>ORDER</u>				
14	Having considered the parties' stipulation and good cause appearing, the Court orders the				
15	following briefing schedule for Supplemental Briefing Re Unconscionability:				
16	a. Opening Briefs due October 3, 2014;				
		Response Briefs, if	f any, due October 17, 2014		
17	b.	=			
17 18		SUANT TO STIPU	LATION, IT IS SO ORDERED.		
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18 19	PUR		LATION, IT IS SO ORDERED.		
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18 19 20 21 22 23 24 25	PUR		LATION, IT IS SO ORDERED. IT IS SO ORDERED J. Company of the second se		

Case No. 3:11-CV-03003-JST (JCS)

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1	<u>CERTIFICATION</u>				
2	I, Brian R. Blackman, am the ECF User whose identification and password are being used				
3	to file this Stipulation and [Proposed] Order Modifying Supplemental Briefing Schedule. In				
4	compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Jim C. Shah and Steven A.				
5	Schwartz have concurred in this filing.				
6	Dated: September 29, 2014 SHEPPARD MULLIN RICHTER & HAMPTON LLP				
7	Dec. /a/Deia n. D. Dia alaman				
8	By <u>/s/ Brian R. Blackman</u> Brian R. Blackman Attorneys for Defendant				
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