

1 SHEPHERD, FINKELMAN, MILLER & SHAH, LLP
 James C. Shah (SBN 260435)
 2 401 West A Street, Suite 2350
 San Diego, CA 92101
 3 Telephone: (619) 235-2416
 Facsimile: (866) 300-7367
 4 jshah@sfmslaw.com

5 CHIMICLES & TIKELLIS LLP
 Steven A. Schwartz
 6 Timothy N. Mathews
 361 W. Lancaster Avenue
 7 Haverford, PA 19041
 Telephone: (610) 642-8500

8 Attorneys for Plaintiff and the Certified Class

9
 10 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
 A Limited Liability Partnership
 Including Professional Corporations
 11 P. CRAIG CARDON, Cal. Bar No. 168646
 BRIAN R. BLACKMAN, Cal. Bar No. 196996
 12 4 Embarcadero Center, 17th Floor
 San Francisco, California 94111-4109
 13 Telephone: 415-434-9100
 Facsimile: 415-434-3947
 14 E-Mail: ccardon@sheppardmullin.com
 bblackman@sheppardmullin.com

15 Attorneys for Defendant SAFEWAY INC.

16
 17 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

18 MICHAEL RODMAN, on behalf of himself
 19 and all others similarly situated,

20 Plaintiff,

21 v.

22 SAFEWAY INC.,

23 Defendant.

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

**JOINT STIPULATION AND PROPOSED
 ORDER CONTINUING HEARING DATE
 FOR MOTION TO CERTIFY FOR
 IMMEDIATE APPEAL AMENDED
 ORDER RE PARTIAL
 SUMMARY JUDGMENT**

Current Hearing Date: May 21, 2015

Proposed Hearing Date: June 4, 2015

Time: 2:00 PM

Courtroom: 9 – 19th Floor

The Honorable Jon S. Tigar

27 H0044217.

28
 JOINT STIPULATION AND PROPOSED ORDER
 CONTINUING HEARING DATE FOR MOTION TO
 CERTIFY FOR IMMEDIATE APPEAL AMENDED
 ORDER RE PARTIAL SUMMARY JUDGMENT
 Case No. C11-03003 JST (JCS)

1 **STIPULATION**

2 Plaintiff, Michael Rodman (“Plaintiff”) and Defendant, Safeway Inc. (“Safeway”), hereby
3 stipulate as follows:

4 1. WHEREAS, the hearing on Safeway’s Motion to Certify for Immediate Appeal
5 Amended Order Granting Partial Summary Judgement to Plaintiff (“Motion”) is currently
6 scheduled for May 21, 2015 (Dkt. No. 251);

7 2. WHEREAS, the Motion is now fully briefed (Dkt. Nos. 251, 253, 256);

8 3. WHEREAS, the Motion was not anticipated and accounted for in connection the
9 current schedule agreed to by the parties at the January 28, 2015 Case Management Conference
10 and the Stipulated Order Amending Case Schedule (Dkt. No. 246) dated March 24, 2015;

11 4. WHEREAS, counsel for Plaintiff has pre-existing professional and personal
12 obligations necessitating a modest continuance of the May 21, 2015 hearing date;

13 5. WHEREAS, counsel for Plaintiff and Safeway have met and conferred regarding a
14 continued hearing date and have agreed to a new hearing date of June 4, 2015;

15 NOW, THEREFORE, subject to the Court’s approval, IT IS HEREBY STIPULATED
16 AND AGREED, by and among the undersigned that:

17 1. The hearing on the Motion currently scheduled for May 21, 2015 is continued to
18 **June 4, 2015.**

19
20 **IT IS SO STIPULATED.**

21
22 Dated: May 6, 2015

SHEPHERD, FINKELMAN, MILLER & SHAH LLP

23 */s/ James C. Shah*

24 JAMES C. SHAH

Attorneys for Plaintiff MICHAEL RODMAN

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Dated: May 6, 2015

SHEPPARD MULLIN RICHTER & HAMPTON LLP

/s/ P. Craig Cardon

P. CRAIG CARDON
BRIAN R. BLACKMAN
Attorneys for Defendant
SAFEWAY INC.

H0044217.

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JOINT STIPULATION AND PROPOSED ORDER
CONTINUING HEARING DATE FOR MOTION TO
CERTIFY FOR IMMEDIATE APPEAL AMENDED
ORDER RE PARTIAL SUMMARY JUDGMENT
Case No. C11-03003 JST (JCS)

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PROPOSED ORDER

Good cause appearing therefore, PURSUANT TO THE FOREGOING STIPULATION,

IT IS SO ORDERED.

Date: May 7, 2015



