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6 Attorneys for Plaintiff and the Putative Class

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**

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| 11 THOMAS SANDERS, an individual; on behalf )<br>of himself and all others similarly situated, )<br>12<br>Plaintiffs, )<br>13<br>vs. )<br>14<br>THE CHOICE MANUFACTURING )<br>COMPANY, INC. a New Jersey Corporation; )<br>15 NRRM, LLC, a Missouri Limited Liability )<br>Company, d/b/a STOP REPAIR BILLS.COM, )<br>16 f/k/a NATIONAL DEALER WARRANTY; and )<br>DOES 3 through 50, inclusive )<br>17<br>Defendants. )<br>18<br>19 | CASE NO. 3:11-cv-03725-SC<br><br><b>AMENDED STIPULATION AND</b><br><b>[PROPOSED] ORDER TO CONTINUE</b><br><b>BRIEFING SCHEDULE AND</b><br><b>HEARING ON MOTIONS TO DISMISS</b> |
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STONEBARGER LAW  
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20 WHEREAS, on or about March 10, 2011, Thomas Sanders ("Plaintiff") commenced a  
 21 civil action in California Superior Court, County of Contra Costa entitled *Thomas Sanders v. The*  
 22 *Choice Manufacturing Company, Inc., et al*, Case No. C11-00571;

23 WHEREAS, on or about August 1, 2011, The Choice Manufacturing Company, Inc.  
 24 ("Choice") removed this matter to the Northern District of California;

25 WHEREAS, on or about September 1, Defendant NRRM, LLC ("NRRM") filed a  
 26 Motion to Dismiss Plaintiff's First Amended Complaint;

27 WHEREAS, on or about September 2, Choice filed a Motion to Dismiss Plaintiff's First  
 28 Amended Complaint;

1           WHEREAS, Plaintiff's Opposition to NRRM's Motion to Dismiss is due on or before  
2 September 15, 2011 and NRRM's Reply brief is due on or before September 22, 2011;

3           WHEREAS, Plaintiff's Opposition to Choice's Motion to Dismiss is due on or before  
4 September 16, 2011 and Choice's Reply brief is due on or before September 23, 2011;

5           WHEREAS, on September 7, 2011, all parties attended a mediation before The  
6 Honorable Wayne D. Brazil (Ret.) of JAMS;

7           WHEREAS, the parties desire to continue to explore and discuss resolution of this matter  
8 prior to expending further resources on the Motions to Dismiss;

9           NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Plaintiff,  
10 Choice, and NRRM through their respective counsel and subject to the Court's approval that:

11           1.       Plaintiff's time to file an Opposition to NRRM's Motion to Dismiss be continued  
12 until September 30, 2011, and NRRM's Reply to Plaintiff's Opposition be continued until  
13 October 7, 2011;

14           2.       Plaintiff's time to file an Opposition to Choice's Motion to Dismiss be continued  
15 until September 30, 2011, and Choice's Reply to Plaintiff's Opposition be continued until  
16 October 7, 2011; and

17           3.       The hearing on both Motions to Dismiss be continued until November 18, 2011,  
18 or to an alternative date that the Court determines suitable.

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1 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

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Dated: September 13, 2011

STONEBARGER LAW, APC

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/s/ Richard D. Lambert  
Gene Stonebarger  
gstonebarger@stonebargerlaw.com  
Richard D. Lambert  
rlambert@stonebargerlaw.com

Attorneys for Plaintiff  
Thomas Sanders

Dated: September 13, 2011

COOLEY LLP

\_\_\_\_\_  
/s/ Mazda K. Antia  
Mazda K. Antia  
mantia@cooley.com

Attorneys for Defendant  
The Choice Manufacturing Company, Inc.

Dated: September 13, 2011

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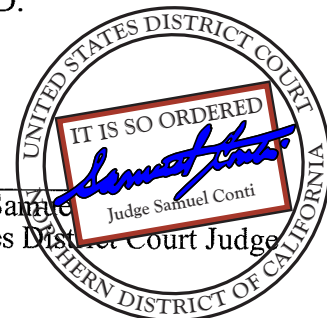
\_\_\_\_\_  
/s/ Jeffrey Kass  
Jeffrey Kass  
jkass@polsinelli.com

Attorneys for Defendant  
NRRM, LLC

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: September 15, 2011

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Honorable Samuel Conti  
United States District Court Judge



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on September 13, 2011, the foregoing *AMENDED* **STIPULATION AND [PROPOSED] ORDER TO CONTINUE BRIEFING SCHEDULE AND HEARING ON MOTIONS TO DISMISS** was filed electronically with the Clerk of the Court to be served by operation of the Court's CM/ECF electronic filing system to all counsel of record.

  
Yvonne Sabolboro