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14 Attorneys for Plaintiffs

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17 UNITED STATES DISTRICT COURT
 18 FOR THE NORTHERN DISTRICT OF CALIFORNIA

19 MATTHEW EDWARDS, et al.,
 20 Plaintiffs,
 21 v.
 22 NATIONAL MILK PRODUCERS
 FEDERATION, et al.
 23 Defendants.

CASE NO. 4:11-CV-4766 DMR
**STIPULATION AND [PROPOSED]
 ORDER EXTENDING TIME TO
 RESPOND TO COMPLAINT**

26 **Whereas**, on September 26, 2011, Matthew Edwards filed his Class Action Complaint for
 27 Violations of state antitrust statutes and the common law of unjust enrichment against the National
 28

1 Milk Producers Federation, aka Cooperative Working Together, the Dairy Farmers of America, Inc.,
2 Land O' Lakes, Inc., Dairylea Cooperative Inc., and Agri-Mark, Inc.;

3 **Whereas** Agri-Mark, Inc. was served with the Class Action Complaint on September 29,
4 2011;

5 **Whereas** the parties have conferred and jointly move the Court for an extension of Defendant
6 Agri-Mark Inc.'s ("AMI") time to answer or otherwise respond to Plaintiffs' complaints in the
7 following related actions: *Edwards, et al. v. National Federation of Milk Producers, et al.*, Case No
8 4:10-cv-4766 (DMR) and *Robb, et al v. National Milk Producers Federation, et al.*, Case No 3:11-cv-
9 4791(JCS).
10

11 **Whereas** Counsel for plaintiffs have advised counsel for Defendant AMI that another related
12 action will be filed with this Court within the next two weeks; and the parties accordingly believe that
13 the interests of judicial economy and efficiency will be served if Defendant is permitted to answer or
14 otherwise respond collectively to all of the related complaints filed in this Court.
15

16 **Whereas** the parties believe that meeting and conferring regarding a discovery plan and other
17 case management issues would be more productive after Defendant has responded to the Complaint
18 and/or after any motion practice has been resolved; and the parties accordingly believe the case
19 management conference should be continued to a date on or after March 30, 2012, with the deadline
20 to meet and confer pursuant to Federal Rule of Civil Procedure 26(f) (and ADR process selection) set
21 for 21 days prior to the case management conference, and with the deadline for the parties' Rule 26(f)
22 report, initial disclosures, and joint case management statement set for 10 days prior to the
23 conference.
24

25 Defendant and Plaintiffs, through their respective Counsel, **HEREBY STIPULATE AND**
26 **AGREE AS FOLLOWS:**
27
28

- 1 1. Defendant AMI's deadline to respond to Plaintiffs' complaints in the *Edwards, et al. v.*
- 2 *National Federation of Milk Producers, et al.*, Case No 4:10-cv-4766 (DMR) and *Robb, et al*
- 3 *v. National Milk Producers Federation, et al.*, Case No 3:11-cv-4791(JCS) and forthcoming
- 4 related action: 21 days following service of last filed complaint, plus an additional 30 days.
- 5
- 6 2. Plaintiffs' opposition or response to Defendant AMI's filing: 60 days after Defendants'
- 7 filing.
- 8
- 9 3. Defendant AMI's reply to any opposition or response of Plaintiffs: 30 days after Plaintiffs'
- 10 filing.
- 11
- 12 4. The initial case management conference: on or after March 30, 2012, with the deadline to
- 13 meet and confer pursuant to Federal Rule of Civil Procedure 26(f) (and ADR process
- 14 selection) set for 21 days prior to the case management conference, and that deadline for the
- 15 parties' Rule 26(f) report, initial disclosures, and joint case management statement set for 10
- 16 days prior to the conference.

17 DATED: October 17, 2011

Respectfully submitted,

18 HAGENS BERMAN SOBOL SHAPIRO LLP

19 By: /s/ Elaine T. Byszewski

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28 Attorneys for the Plaintiffs

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Attorney for Defendant Agri-Mark, Inc.

I, Paula L. Blizzard, attest that concurrence in the filing of this document has been obtained from each of the other signatories.

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated the 28 day of November, 2011


Magistrate Judge Donna M. Ryu

1 **DECLARATION OF SERVICE**

2 I, Maria S. Canales, declare as follows:

3 I am employed in the City and County of San Francisco, State of California in the office of a
4 member of the bar of this court at whose direction the following service was made. I am over the age
5 of eighteen years and not a party to this action. My business address is Kecker & Van Nest LLP, 633
6 Battery Street, San Francisco, California 94111-1809.

7 On October 17, 2011, I served the following document(s):

8 **STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO
9 COMPLAINT**

10 to all named counsel of record as follows:



12 **BY ECF (ELECTRONIC CASE FILING):** I e-filed the above-detailed documents utilizing the
13 United States District Court, Northern District of California's mandated ECF (Electronic Case Filing) service
14 on October 17, 2011. Counsel of record are required by the Court to be registered e-filers, and as such are
15 automatically e-served with a copy of the documents upon confirmation of e-filing.

16 Executed on October 17, 2011, at San Francisco, California.

17 I declare under penalty of perjury under the laws of the State of California that the above is
18 true and correct.

19 /s/ Maria S. Canales