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16 Cooperative, Inc.*

15 *Attorney for Defendant Dairy Farmers of
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17 [Additional Counsel listed on signature page]

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

20 JEFFREY ROBB, et al.,

CASE NO. 4:11-CV-4791 JCS

21 Plaintiffs,

**STIPULATION AND [PROPOSED]
22 ORDER EXTENDING TIME TO
23 RESPOND TO COMPLAINT**

24 v.

25 NATIONAL MILK PRODUCERS
26 FEDERATION, et al.

27 Defendants.

28 **Whereas**, on September 27, 2011, Jeffrey Robb filed his Class Action Complaint for

Violations of state antitrust statutes and the common law of unjust enrichment against the National

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** Dairy Farmers of America, Inc. ("DFA") and Land O' Lakes, Inc. ("LOL") were
4 served with the Class Action Complaint on September 27, 2011, and Dairylea Cooperative Inc.
5 ("Dairylea") was served with the Class Action Complaint on September 27, 2011 (DFA, LOL, and
6 Dairylea collectively "Defendants" for purposes of this stipulation);

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

11 **Whereas** Counsel for plaintiffs have advised counsel for Defendants that another related
12 action will be filed with this Court **by October 28, 2011**, to add named plaintiffs from indirect states
13 already listed in the above-referenced complaints; and the parties accordingly believe that the
14 interests of judicial economy and efficiency will be served if each Defendant is permitted to answer
15 or otherwise respond collectively to all of the related complaints filed in this Court.

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

1 Defendants and Plaintiffs, through their respective Counsel, **HEREBY STIPULATE AND**
2 **AGREE AS FOLLOWS:**

3 1. Defendants deadline to respond to Plaintiffs' complaints in the *Edwards, et al. v. National*
4 *Federation of Milk Producers, et al.*, Case No 4:10-cv-4766 (DMR) and *Robb, et al v.*
5 *National Milk Producers Federation, et al.*, Case No 3:11-cv-4791(JCS) and forthcoming
6 related action: 21 days following service of last filed complaint on October 28, 2011, plus an
7 additional 30 days, or **by December 19, 2011**.

8 2. Plaintiffs' opposition or response to Defendants' filing: 60 days after Defendants' filing, or
9 **by February 17, 2012**.

10 3. Defendants' reply to any opposition or response of Plaintiffs: 30 days after Plaintiffs'
11 filing, or **by March 19, 2012**.

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 18, 2011

18 Respectfully submitted,

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27 I, Elaine T. Byszewski, attest that concurrence in the filing of this document has been obtained from
28 each of the other signatories.

1 PURSUANT TO STIPULATION, IT IS SO ORDERED: The Court FURTHER ORDERS that the case
2 management conference is CONTINUED to April 6, 2012 at 1:30 p.m.

3 Dated the 24 day of October, 2011

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6 Magistrate Judge Joseph C. Spero
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