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11 Attorneys for Defendants
 12 FRITO-LAY NORTH AMERICA, INC. and
 PEPSICO, INC.

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

17 JESSE HOUGHTAILING,
 18 Plaintiff,
 19 v.
 20 FRITO-LAY NORTH AMERICA, INC., and
 PEPSICO, INC., AND DOES 1 TO 100,
 21 inclusive,
 22
 23 Defendants.
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CASE NO. 3:11-cv-05062-TEH
 Judge: Hon. Thelton E. Henderson

**STIPULATION AND REQUEST TO
 CONTINUE DEADLINE FOR ADR
 SESSION; ~~PROPOSED~~ ORDER
 GRANTING CONTINUANCE**

Action Filed: August 24, 2011
 Removal Filed: October 14, 2011
 Trial Date: None Set

{100014613}

1 TO THIS HONORABLE COURT:

2 Plaintiff Jesse Houghtailing (hereinafter "Plaintiff"), by and through his counsel, and
3 Defendants Frito-Lay North America, Inc. and Pepsico, Inc. ("Defendants"), by and through their
4 counsel, do hereby agree, stipulate, and respectfully request as follows:

5 1. WHEREAS, the Court ordered the Parties to complete their private ADR session
6 by July 31, 2012;

7 2. WHEREAS, Defendants have been unable to complete Plaintiff's deposition due to
8 scheduling conflicts and Plaintiff's inability to sit for extended periods of time;

9 3. WHEREAS, the Parties have agreed to continue the deadline to complete their
10 private ADR session;

11 8. THE PARTIES HEREBY STIPULATE to continue the currently scheduled
12 deadline to complete their private ADR session from July 31, 2012 to October 31, 2012.

13 IT IS SO STIPULATED.

14 Dated: July 13, 2012

DuCHARME & COHEN

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By s/ James A. Du Charme

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JAMES A. DuCHARME

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Attorneys for Plaintiff
JESSE HOUGHTAILING

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20 Dated: July 16, 2012

VILLARREAL HUTNER & TODD PC

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By /s/ Julie Wong

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TRACY S. TODD
JULIE WONG

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Attorneys for Defendants
FRITO-LAY NORTH AMERICA, INC.
and PEPSICO, INC.

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ATTESTMENT OF CONCURRENCE PER GENERAL ORDER 45 FOR FILING:

I attest that concurrence in the filing of this document by the signatory James A. Du Charme, has been obtained, and that a record of the concurrence shall be maintained by Villarreal Hutner & Todd PC.

I declare under penalty of perjury pursuant to the laws of the United States of America that the foregoing is true and correct.

Executed at San Francisco, California this 16th day of July, 2012.

/s/ Julie Wong

JULIE WONG

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~~[PROPOSED]~~ ORDER

Having considered the foregoing stipulation of the parties, the Court orders the deadline for the Parties to complete their private ADR session in the instant matter, Houghtailing v. Frito-Lay North America, Inc., et al., case number 3:11-cv-05062-TEH, continued to October 31, 2012.

IT IS SO ORDERED.

Dated: 07/17, 2012

