

1 DuCHARME & COHEN
 JAMES A. DuCHARME, ESQ., SBN 61002
 2 E-MAIL: jducharme@pacbell.net
 450 Taraval Street, P.M.B. 317
 3 San Francisco, CA 94116-2530
 Telephone: 415.495.4171
 4 Facsimile: 888.668.4170

5 Attorneys for Plaintiff
 JESSE HOUGHTAILING

6 VILLARREAL HUTNER & TODD PC
 7 TRACY S. TODD, ESQ., SBN 172884
 E-Mail: ttodd@vhattorneys.com
 8 JULIE WONG, ESQ., SBN 247342
 E-Mail: jwong@vhtattorneys.com
 9 575 Market Street, Suite 300
 San Francisco, California 94105
 10 Telephone: 415.543.4200
 Facsimile: 415.512.7674

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.
 24

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

{100038462}

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

TO THIS HONORABLE COURT:

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

- 1. WHEREAS, the Court ordered the Parties to complete their private ADR session by October 31, 2012;
- 2. WHEREAS, the Parties are engaging in informal resolution efforts;
- 3. WHEREAS, the Parties have scheduled the completion of Plaintiff's deposition to occur on November 12, 2012 and November 13, 2012 based on the Parties' informal resolution efforts, scheduling conflicts, and Plaintiff's inability to sit for long periods of time;
- 4. WHEREAS, the Parties have agreed to continue the deadline to complete their private ADR session;

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

IT IS SO STIPULATED.

Dated: October 25, 2012 DuCHARME & COHEN

By _____
 /s/ James A. Du Charme
 JAMES A. DuCHARME

Attorneys for Plaintiff
 JESSE HOUGHTAILING

Dated: October 25, 2012 VILLARREAL HUTNER & TODD PC

By _____
 /s/ Julie Wong
 TRACY S. TODD
 JULIE WONG

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 25th day of October, 2012.

/s/ Julie Wong

JULIE WONG

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~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 December 31, 2012.

IT IS SO ORDERED.

Dated: _____ 11/05, 2012

