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10 Attorneys for Defendant
 11 SAFEWAY INC.

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

15 LAWRENCE BRANDON, on behalf of
 16 himself and all others similarly situated,

17 Plaintiff,

18 v.

19 SAFEWAY INC., a Delaware corporation with
 20 its Principal Place of Business in Pleasanton,
 21 California.

22 Defendant.

Case No.: C 11-06614 SI

**STIPULATION AND [~~PROPOSED~~]
 ORDER EXTENDING DEADLINES RE:
 DEFENDANT’S MOTION FOR
 SUMMARY JUDGMENT**

1 WHEREAS, at the Initial Case Management Conference (“CMC”) held in this action on
2 April 6, 2012, the Court set the following schedule for Defendant Safeway Inc’s Motion for
3 Summary Judgment (“Motion”), as set forth in the Civil Pretrial Minutes issued on April 11, 2012
4 (Dkt. No. 21):

- 5 • Filing date: September 7, 2012
- 6 • Opposition due: September 21, 2012
- 7 • Reply due: September 28, 2012
- 8 • Hearing date: October 12, 2012 at 9:00 a.m.;

9 WHEREAS, at the April 6 CMC Plaintiff Lawrence Brandon and Defendant Safeway Inc.
10 (collectively, the “Parties”) discussed with the Court that the Parties were discussing a potential
11 mediation of the action, and intended to seek a modification to the schedule for the Motion in the
12 event that they were able to agree to mediate;

13 WHEREAS, the Parties have reached an agreement to mediate the action on June 22, 2012,
14 and therefore wish to extend the briefing schedule for the Motion by a period of ninety (90) days;
15 and

16 WHEREAS, the agreed-upon schedule is not for the purpose of delay, promotes judicial
17 efficiency and will not cause prejudice to any party;

18 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties, through their
19 respective counsel, subject to approval of the Court as follows:

- 20 1. The deadline by which Defendant must file the Motion is hereby extended up to and
21 including December 6, 2012;
- 22 2. The deadline for Plaintiff’s opposition to the Motion is hereby extended up to and
23 including December 20, 2012;
- 24 3. The deadline for Defendant’s reply to the Motion is extended up to and including
25 December 27, 2012;
- 26 4. The hearing on the Motion is hereby set for January 18, 2013, at 9:00 a.m., or as
27 soon thereafter as the Court’s schedule may allow;

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1 5. The undersigned Parties jointly and respectfully request that the Court enter this
2 Stipulation as an Order.

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4 Dated: May 11, 2012

ARNOLD & PORTER LLP

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By: /s/ Rhonda S. Goldstein*
Monty Agarwal
Rhonda S. Goldstein
Attorneys for Defendant
SAFEWAY INC.

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10 Dated: May 11, 2012

FINKELSTEIN THOMPSON LLP

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By: /s/ Danielle A. Stoumbos
Danielle A. Stoumbos
Attorneys for Plaintiff

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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Dated: 5/16/12



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Hon. Susan Illston
United States District Judge

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* I hereby attest that concurrence in the filing of this document has been obtained from each of the
27 other signatories.

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