

JENNER & BLOCK LLP

Kenneth K. Lee (Cal. Bar No. 264296)

klee@jenner.com

Kelly M. Morrison (Cal. Bar No. 255513)

kmorrison@jenner.com

633 West 5th Street, Suite 3600

Los Angeles, CA 90071-2054

Phone: (213) 239-5100

Facsimile: (213) 239-5199

JENNER & BLOCK LLPDean N. Panos (*pro hac vice*)

dpanos@jenner.com

353 N. Clark Street

Chicago, IL 60654-3456

Phone: (312) 222-9350

Facsimile: (312) 527-0484

Attorneys for Defendant

The Clorox Company

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE CLOROX CONSUMER LITIGATION

This Document Relates To:

All Actions

Master File No. 3:12-cv-00280-SC

**JOINT STIPULATION TO EXTEND
TIME FOR DEFENDANT TO RESPOND
TO CONSOLIDATED COMPLAINT;
~~PROPOSED~~ ORDER**

Action Filed: January 23, 2012

Consolidated Class Action Complaint Filed:
April 11, 2012

1 This stipulation is entered into by and between Plaintiffs Megan Sterritt, Kristin Luszczyk, Lori
2 Kowalewski, Tina Butler-Furr, Catherine Lenz, Susan Doyle, and Jose Segarra (collectively,
3 “Plaintiffs”), and Defendant The Clorox Company (“Clorox” or “Defendant”), through their
4 respective counsel of record, with reference to the following facts:

5 1. On March 6, 2012, the Court approved a stipulation consolidating the various putative
6 class action lawsuits filed against Clorox relating to the Fresh Step cat litter, and designating the
7 complaint filed in the case styled *Luszczyk v. The Clorox Company* as the operative complaint in this
8 action (“Complaint”).

9 2. On March 21, 2012, Clorox filed a motion to dismiss the Complaint.

10 3. On April 11, 2012, Plaintiffs filed an amended Consolidated Class Action Complaint
11 (“Consolidated Complaint”) pursuant to Rule 15 of the Federal Rules of Civil Procedure.

12 4. Under Rule 15, Clorox’s response to the Consolidated Complaint must be filed on or
13 before April 25, 2012.

14 5. The Consolidated Complaint includes new factual allegations as well as legal causes
15 of actions not raised in the previously filed Complaint, which demand significant analysis on the part
16 of Clorox.

17 6. In light of the new issues raised in the Consolidated Complaint, Defendant and
18 Plaintiffs agree to extend the time for Defendant to respond to the Consolidated Complaint by 21
19 days from April 25, 2012, to May 16, 2012.

20 7. Further, in the event that Clorox moves to dismiss the Consolidated Complaint,
21 Defendant and Plaintiffs agree to extend the deadline for Plaintiffs to file their response to Clorox’s
22 motion to dismiss by 16 days from May 30, 2012, to June 15, 2012. Clorox will file a reply brief by
23 June 29, 2012. The hearing on Clorox’s motion to dismiss will be set for August 10, 2012 at 10:00
24 a.m. in Courtroom 1.

25 8. In light of the above-referenced schedule, the parties agree that all presently-set Case
26 Management Conferences should be taken off-calendar, and a new Conference should be set
27 following the hearing on Clorox’s motion to dismiss.
28

1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the
2 Court's approval, that:

- 3 1. Clorox shall respond to the Consolidated Complaint no later than May 16, 2012;
4 2. In the event Clorox files a motion to dismiss, Plaintiffs shall file their response to
5 Clorox's motion to dismiss no later than June 15, 2012, Clorox will file a reply brief by June 29,
6 2012, and the hearing on Clorox's motion to dismiss shall be set for August 10, 2012 at 10:00 a.m.
7 in Courtroom 1;
8 3. All presently-set Case Management Conferences in the consolidated actions shall be
9 taken off-calendar; and
10 4. The Court will hold a Case Management Conference on September 7, 2012 at 10:00
11 a.m. in Courtroom 1. The parties shall file a joint statement seven days prior to the Conference.
12

13 Dated: April 19, 2012

JENNER & BLOCK LLP

14 /s/ Kenneth K. Lee

15 By: Kenneth K. Lee

16 Attorneys for Defendant The Clorox Company

17 Dated: April 19, 2012

ROBBINS GELLER RUDMAN AND
18 DOWD LLP

19 /s/ Mark Dearman

20 By: Mark Dearman

21 Attorneys for Plaintiffs

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.
23

24 Dated: April 19, 2012

25 The Honorable
26 United States

