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17 *Attorneys for Defendant*  
 18 **THE HERSHEY COMPANY**

19 **UNITED STATES DISTRICT COURT**  
 20 **NORTHERN DISTRICT OF CALIFORNIA**  
 21 **SAN FRANCISCO DIVISION**

22 GREGORY P. BARNES, et al.,  
 23  
 24 Plaintiffs,  
 25 vs.  
 26 THE HERSHEY COMPANY,  
 27  
 28 Defendant.

Case No. 12-cv-01334-CRB

**STIPULATION AND ORDER GRANTING  
 DEFENDANT THE HERSHEY  
 COMPANY’S ADMINISTRATIVE  
 MOTION FOR ADMINISTRATIVE  
 LEAVE TO FILE A REPLY BRIEF IN  
 SUPPORT OF ITS MOTION FOR  
 SUMMARY JUDGMENT IN EXCESS OF  
 FIFTEEN PAGES**

**STIPULATION**

WHEREAS Defendant The Hershey Company (“Hershey”) filed its Motion for Partial Summary Judgment (the “Motion”), Dkt. 150, on August 12, 2014;

WHEREAS Plaintiffs filed their Memorandum of Points and Authorities in Opposition to

1 the Motion and simultaneously also requested relief under Federal Rule of Civil Procedure 56(d),  
2 Dkt. 176, on September 3, 2014,

3 WHEREAS counsel for Plaintiffs and counsel for Defendant have conferred, and  
4 Plaintiffs have no objection to allowing Hershey to file a twenty-page reply in support of its  
5 Motion, of which no more than fifteen (15) pages may be dedicated to a reply in support of the  
6 merits of the Motion, including objections on evidence, if any, and no more than five (5) pages  
7 may be dedicated to opposing Plaintiffs' separate request for relief under Rule 56(d).

8 IT IS HEREBY STIPULATED pursuant to Local Rules 7-11 & 7-12 by and between the  
9 parties hereto, through their respective attorneys of record, that Hershey may exceed the fifteen-  
10 page limit set by Local Rule 7-4 and file a twenty-page reply in support of the Motion, on the  
11 terms described above.

12 Pursuant to L.R. 5-1(i)(3) regarding signatures, I, Christopher D. Havener, attest that  
13 concurrence in the filing of this document has been obtained from each of the other signatories. I  
14 declare under penalty of perjury under the laws of the United States of America that the foregoing  
15 is true and correct.

16  
17 Dated: September 5, 2014

MORGAN, LEWIS & BOCKIUS LLP

18  
19 By: /s/ Christopher D. Havener  
Christopher D. Havener

20 Attorneys for Defendant  
21 THE HERSHEY COMPANY

22 Dated: September 5, 2014

THE BRANDI LAW FIRM

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24 By: /s/ Brian J. Malloy  
Brian J. Malloy

25 Attorneys for Plaintiffs  
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ORDER

Pursuant to the parties' Stipulation, and for good cause showing, the Court shall permit Defendant The Hershey Company to file a twenty (20) page Reply In Support of Its Motion for Partial Summary Judgment, of which no more than fifteen (15) pages may be dedicated to a reply in support of the merits of the Motion for Partial Summary Judgment, including objections on evidence, if any, and five (5) pages may be dedicated to opposing Plaintiffs' separate request for relief under Federal Rule of Civil Procedure 56(d).

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 10, 2014

By:   
\_\_\_\_\_  
CHARLES R. BREYER  
United States District Judge  
Northern District of California