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18 *Attorneys for Defendant Frito-Lay North America, Inc.*

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

22 MARKUS WILSON and DOUG CAMPEN,
 23 individually and on behalf of all others
 24 similarly situated,
 25
 26 Plaintiffs,
 27
 28 v.
 29 FRITO-LAY NORTH AMERICA, INC.,
 30 Defendant.

Case No. C12-01586-SC

**STIPULATION AND ~~PROPOSED~~ ORDER
 CONTINUING CASE MANAGEMENT
 CONFERENCE**

WHEREAS, on March 18, 2013, the Court issued a Clerk’s Notice scheduling a Case Management Conference for June 7, 2013, at 10 a.m. (ECF No. 45);

WHEREAS, on April 1, 2013, the Court issued an Order granting in part and denying in part Defendants’ Motion to Dismiss Plaintiffs’ First Amended Complaint (ECF No. 46);

WHEREAS, on May 1, 2013, Plaintiffs filed a Second Amended Complaint (ECF No. 47);

WHEREAS, on May 6, 2013, the Court issued a Clerk’s Notice continuing the Case Management Conference until June 14, 2013, at 10 a.m. (ECF No. 51);

1 WHEREAS, Defendant Frito-Lay North America, Inc. anticipates filing a Motion to Dismiss
2 Plaintiffs' Second Amended Complaint on June 7, 2013;

3 WHEREAS, counsel for the parties have conferred and the parties agree that it would
4 preserve judicial and party resources and be advantageous for case management to continue the Case
5 Management Conference currently scheduled for June 14, 2013, until August 9, 2013;

6 IT IS HEREBY STIPULATED AND AGREED, subject to the Court's approval, that:

- 7 • The Case Management Conference scheduled for June 14, 2013, is continued until August
8 9, 2013; and
9 • The parties will submit a joint case management statement on or before August 2, 2013.

10 In accordance with N.D. Cal. Local Rule 5-1, the filer of this document hereby attests that the
11 concurrence to the filing of this document has been obtained from the other signatories hereto.
12

13 Dated: May 31, 2013

Gibson, Dunn & Crutcher LLP

14
15 By: /s/ Andrew S. Tulumello
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*Attorneys for Defendant Frito-Lay North
America, Inc.*

25 Dated: March 31, 2013

PRATT & ASSOCIATES

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27 By: /s/ Ben F. Pierce Gore
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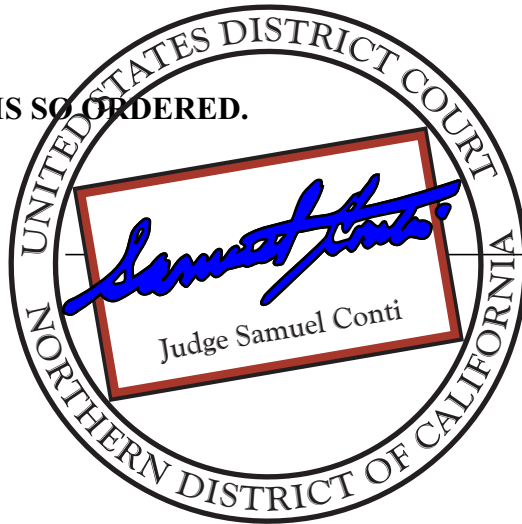
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*Attorneys for Plaintiffs Markus Wilson and
Doug Campen*

PURSUANT TO THIS STIPULATION, IT IS SO ORDERED.

Date: 06/03/2013



1 **CERTIFICATE OF SERVICE**

2 I, Andrew S. Tulumello, certify as follows:

3 I am employed in Washington, DC. I am over the age of eighteen years and am not a party to
4 this action. My business address is 1050 Connecticut Avenue NW, Washington, DC 20036. I certify
5 that on the date indicated below, I caused the following document to be electronically transmitted to
6 the Clerk and to each of the persons named below, who are registered as CM/ECF users and have
7 consented to electronic service, using the CM/ECF System:

8 **STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT**
9 **CONFERENCE**

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11 **Campen**

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23 DATED: May 31, 2013

_____/s/ Andrew S. Tulumello

Andrew S. Tulumello