

1 Robert B. Hawk (Bar No. 118054)  
 2 HOGAN LOVELLS US LLP  
 3 525 University Avenue, 4th Floor  
 4 Palo Alto, California 94301  
 Telephone: + 1 (650) 463-4000  
 Facsimile: + 1 (650) 463-4199  
 robert.hawk@hoganlovells.com

5 Douglas M. Schwab (Bar No. 43083))  
 6 HOGAN LOVELLS US LLP  
 7 4 Embarcadero Ctr., 22nd Floor  
 8 San Francisco, California 94111  
 Telephone: + 1 (415) 374-2301  
 Facsimile: + 1 (415) 374-2499  
 douglas.schwab@hoganlovells.com

9 Robin Wechkin (admitted *pro hac vice*)  
 10 HOGAN LOVELLS US LLP  
 11 8426 316th Pl. SE  
 12 Issaquah, Washington 98027  
 Telephone: +1 (425) 222-0595  
 robin.wechkin@hoganlovells.com

13 Attorneys for Defendant  
 14 CONAGRA FOODS, INC.

15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17 SAN FRANCISCO DIVISION

19 LEVI JONES, CHRISTINE STURGES,  
 20 and EDD OZARD, individually and on  
 behalf of all others similarly situated,

21 Plaintiffs,

22 v.

23 CONAGRA FOODS, INC.,  
 24 Defendant.

Case No. 12-cv-1633-CRB

**STIPULATION AND  
~~PROPOSED~~ ORDER SETTING  
 NEW HEARING DATE FOR  
 MOTION TO DISMISS**

The Hon. Charles R. Breyer

1 Plaintiffs and Defendant ConAgra Foods, Inc. ("Defendant" or "ConAgra"),  
2 by and through their respective counsel of record, enter into the following  
3 stipulation, based upon the recitals below:

- 4 1. In accordance with a schedule set by stipulation and Court order,  
5 ConAgra filed a Motion to Dismiss the Amended Complaint on August  
6 17, 2012;
- 7 2. Pursuant to stipulation, on August 29, 2012, the Court ordered that the  
8 Motion to Dismiss hearing and Initial Case Management Conference go  
9 forward on November 9, 2012;
- 10 3. On November 7, 2012, the Court continued the Motion to Dismiss hearing  
11 date and Initial Case Management Conference to November 16, 2012 at  
12 10:00 AM;
- 13 4. Counsel for Defendant has a conflicting court appearance on November  
14 16, 2012;
- 15 5. Counsel for the parties have conferred and agreed to jointly request that  
16 the Court reschedule the Motion To Dismiss hearing and Initial Case  
17 Management Conference to accommodate Defendant's counsel conflict;
- 18 6. The parties have agreed, subject to Court approval, to reschedule the  
19 hearing date for the Motion to Dismiss and Initial Case Management  
20 Conference to either December 7, 2012 or December 14, 2012 –  
21 whichever is most convenient for the Court.

22  
23 **IT IS SO STIPULATED.**

24 Dated: November 12, 2012

HOGAN LOVELLS US LLP

25  
26 By: /s/ Robert B. Hawk  
27 Robert B. Hawk  
28 Attorneys for Defendant  
CONAGRA FOODS, INC.

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Dated: November 12, 2012

PRATT & ASSOCIATES

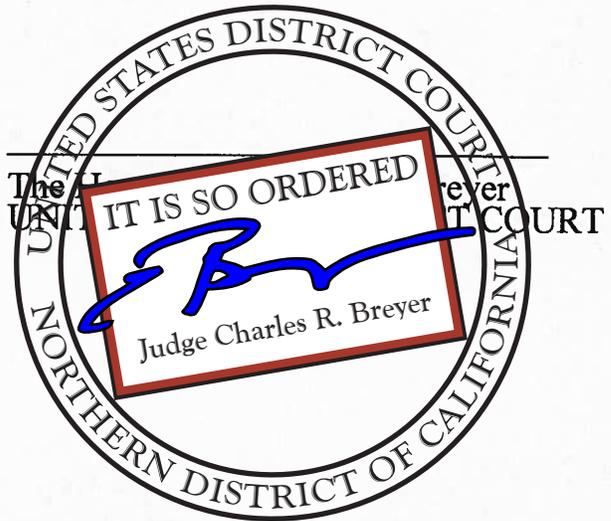
By: /s/ Ben F. Pierce Gore  
Ben F. Pierce Gore  
Attorneys for Plaintiff  
LEVI JONES

**ORDER**

PURSUANT TO STIPULATION, and good cause appearing, the Court orders the hearing on Defendant's Motion to Dismiss and Initial Case Management conference shall be on December 14, 2012 at 10:00 a.m.

IT IS SO ORDERED.

Dated: November 13, 2012



I, Robert B. Hawk, attest that Ben F. Pierce Gore has read and approved the Stipulation And [Proposed] Order Setting New Hearing Date For Motion To Dismiss and consents to its filing in this action.