

1 Darren K. Cottriel (State Bar No. 184731)
 dcottriel@jonesday.com
 2 JONES DAY
 3161 Michelson Drive, Suite 800
 3 Irvine, CA 92612
 Telephone: 949.553.7548
 4 Facsimile: 949.553.7539
 E-mail: dcottriel@JonesDay.com

5 Jason McDonell (State Bar No. 115084)
 jmcdonell@JonesDay.com
 6 Craig E. Stewart (State Bar No. 129530)
 cestewart@JonesDay.com
 7 JONES DAY
 8 555 California Street, 26th Floor
 San Francisco, CA 94104
 9 Telephone: 415.626.3939
 Facsimile: 415.875.5700

10 Attorneys for Defendants
 11 THE GILLETTE COMPANY AND THE
 PROCTER & GAMBLE COMPANY

12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15
 16 JAMES COLLINS, Individually and on Behalf
 of All others Similarly Situated

17 Plaintiff,

18 v.

19 THE GILLETTE COMPANY and THE
 20 PROCTER & GAMBLE COMPANY,

21 Defendants.

Case No. CV-12-1778-EDL

**UNOPPOSED MOTION FOR
 ADMINISTRATIVE RELIEF UNDER
 LOCAL RULES 6-1(B) AND 7-11 TO
 MODIFY CLASS CERTIFICATION
 BRIEFING SCHEDULE,
 DECLARATION OF JASON
 MCDONELL IN SUPPORT
 THEREOF, AND PROPOSED ORDER**

CIV. L.R. 6-1(b), 7-11

1 Defendants respectfully move under Local Rules 6-1(b) and 7-11 for an order modifying
2 the class certification briefing schedule to extend, by one week each, the due dates for
3 Defendants' opposition and Plaintiff's reply briefs. Because this motion is unopposed,
4 Defendants present it as an administrative motion under Local Rule 7-11 to permit the Court to
5 rule on the request on an expedited basis without the need to await any opposition brief.

6 By order dated May 23, 2013, this Court modified the case schedule to provide for, among
7 other things, a due date of September 13, 2013 for Defendants to file their opposition to
8 Plaintiff's motion for class certification, and a due date of October 15, 2013 for Plaintiff to file his
9 reply. *See* ECF No. 44.

10 Due to scheduling and work load issues of defense counsel, Defendants hereby request
11 that the due dates for the class certification opposition and reply briefs each be enlarged by one
12 week such that the new due date for the opposition would be September 20, 2013 and the new due
13 date for the reply would be October 22, 2013. No other dates would be affected if the requested
14 relief is granted, including that the hearing date on the motion for class certification would not be
15 affected, and would remain as scheduled on November 5, 2013. Defendants requested Plaintiff to
16 stipulate to this request, and while Plaintiff declined to stipulate to the requested extension of
17 time, he does not oppose this request.

18 Defendants' counsel need the additional one week for filing the opposition to the class
19 certification motion due to scheduling and workload issues unrelated to this case. If the Court
20 does not grant the requested relief, defense counsel will have substantial difficulty complying
21 with the schedule due to these scheduling and work load issues.

22 Under the current schedule, the hearing on the motion for class certification is set for
23 November 5, 2012. Thus, if the Court grants the requested modification of the briefing schedule,
24 there will still be a period of two weeks between the due date for the filing of Plaintiff's reply
25 brief and the hearing on the motion for class certification.

26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: September 9, 2013

JONES DAY

By: /s/ Jason McDonell
Jason McDonell

Jason McDonell (State Bar No. 115084)
jmcdonell@jonesday.com
JONES DAY
555 California Street, 26th Floor
San Francisco, CA 94104
Telephone: (415) 626-3939
Facsimile: (415) 875-5700

Attorney for Defendants
THE GILLETTE COMPANY and THE
PROCTER & GAMBLE COMPANY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SIGNATURE ATTESTATION

I hereby attest that the content of this document is acceptable to all persons whose signatures are indicated by a “conformed” signature (/s/) within this e-filed document.

Dated: September 9, 2013

JONES DAY

By: /s/ Jason McDonell

Jason McDonell
Attorneys for Defendants
THE GILLETTE COMPANY and THE
PROCTER & GAMBLE COMPANY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF JASON MCDONELL

I, Jason McDonell, hereby declare as follows:

1. Jones Day is counsel to Defendants in this case.
2. Under the current schedule, Defendants’ opposition to the pending motion for class certification is due to be filed no later than September 13, 2013.
3. Because of scheduling and work load issues unrelated to this case, defense counsel will have substantial difficulty completing the opposition brief and related materials in time to meet that deadline.
4. Jones Day has requested counsel for Plaintiff to stipulate to the relief sought in this motion. Counsel for Plaintiff declined to stipulate, but also stated that they would not oppose the motion.

I declare under penalty of perjury under the laws of United States that the foregoing is true and correct. This declaration is executed this 9th day of September, 2013, in San Francisco, California.

/s/ Jason McDonell
Jason McDonell

~~PROPOSED~~ ORDER

The Court, having considered the above motion, and good case appearing therefore, the case schedule in this action is modified as follows:

Event	Existing Deadlines (ECF No. 44)	[Proposed] Extension
Opposition to Class Certification	September 13, 2013	September 20, 2013
Reply to Defendants' Opposition to Class Certification	October 15, 2013	October 22, 2013

Hearing on Plaintiff's motion for Class Certification continued to November 12, 2013.

IT IS SO ORDERED.

Dated: September 9, 2013


 Hon. Elizabeth D. Laporte
 United States Magistrate Judge

SFI-837137v2