

1 KENNETH D. SULZER, CA State Bar No. 120253
 ksulzer@proskauer.com
 2 ENZO DER BOGHOSSIAN, CA State Bar No. 211351
 ederboghossian@proskauer.com
 3 ADAM W.G. FREED, CA State Bar No. 272538
 afreed@proskauer.com
 4 PROSKAUER ROSE LLP
 2049 Century Park East, 32nd Floor
 Los Angeles, CA 90067-3206
 5 Telephone: (310) 557-2900
 Facsimile: (310) 557-2193
 6

7 Attorneys for Defendant,
 AMN SERVICES, LLC (improperly
 named herein as "AMN SERVICES, INC.
 8 dba Medical Express")

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11
 12 CHRISTOPHER O'SULLIVAN, individually and
 on behalf of himself and others similarly situated,
 13
 Plaintiff,
 14
 v.
 15 AMN SERVICES, INC. dba Medical Express, and
 DOE 1 through and including DOE 100,
 16
 Defendants.
 17

Case No. CV-12-2125 JCS

**STIPULATION AND [PROPOSED]
 ORDER TO ENLARGE TIME TO FILE
 OPPOSITION AND REPLY TO
 PLAINTIFF'S MOTION TO STRIKE;
 DECLARATION OF ADAM W.G. FREED
 IN SUPPORT THEREOF**

Hon. Joseph C. Spero

Motion Hearing Date: June 15, 2012

18
 19
 20 **IS HEREBY STIPULATED** between counsel for Plaintiff Christopher O'Sullivan
 21 ("Plaintiff") and counsel for Defendant AMN Services, LLC (improperly named herein as "AMN
 22 SERVICES, INC. dba Medical Express") ("Defendant") (collectively "the Parties"), pursuant to
 23 Local Rules 6-2 and 7-12, as follows:

24 WHEREAS, on May 9, 2012, Plaintiff filed a Notice of Motion to Strike Defendant's
 Answer to Plaintiff's First Amended Complaint ("Motion");

25 WHEREAS, the hearing on the Motion is set for June 15, 2012;

26 WHEREAS, Defendant's Opposition to the Motion ("Opposition") is due May 23, 2012
 27 and Plaintiff's Reply to Defendant's Opposition ("Reply") is due May 30, 2012;
 28

1 AND WHEREAS the Motion presents complex legal issues that require careful
2 consideration by Defendant;

3 IT IS HEREBY STIPULATED by and among the Parties as follows:

4 The deadline for Defendant's Opposition shall be extended by one week from May 23,
5 2012 to May 30, 2012. The deadline for Plaintiff's Reply correspondingly shall be extended by
6 one week from May 30, 2012 to June 6, 2012. The hearing date shall remain the same, such that
7 briefing will be completed nine days prior to the scheduled hearing date.

8 DATED: May 11, 2012

KENNETH D. SULZER
ENZO DER BOGHOSSIAN
ADAM W.G. FREED
PROSKAUER ROSE LLP

11 /s/ Adam W. G. Freed

12 Adam W.G. Freed
13 Attorneys for Defendant, AMN SERVICES,
14 LLC, improperly named herein as "AMN
SERVICES, INC. dba MEDICAL
EXPRESS"

15 Dated: May __, 2012

DAVID S. HARRIS
NORTH BAY LAW GROUOP

17 /s/ David S. Harris

DAVID S. HARRIS

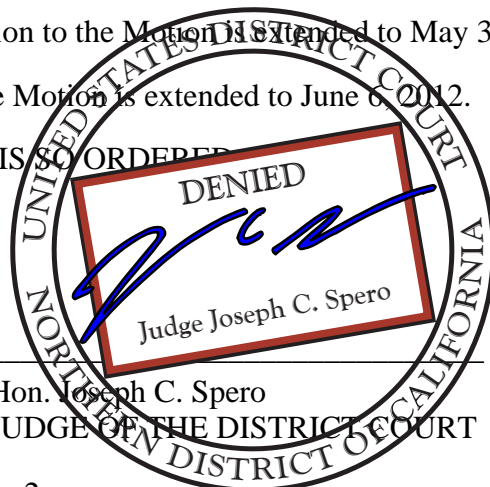
18 Attorneys for Plaintiff,
19 CHRISTOPHER O'SULLIVAN

20 **ORDER**

21 The deadline for Defendant's Opposition to the Motion is extended to May 30, 2012. The
22 deadline for Plaintiff's Reply in support of the Motion is extended to June 6, 2012.

23 PURSUANT TO STIPULATION, IT IS ORDERED

24 Dated: May 14, 2012



25 Hon. Joseph C. Spero
26 JUDGE OF THE DISTRICT COURT

DECLARATION OF ADAM W.G. FREED

I, Adam W.G. Freed, declare:

1. I am an attorney-at-law duly licensed to practice in the State of California and before this Court. I am an attorney in the law firm of Proskauer Rose LLP, attorneys of record in this action for defendant AMN Services, LLC (improperly named herein as “AMN SERVICES, INC. dba Medical Express”) (“Defendant”). I have personal knowledge of the facts stated herein and, if sworn as a witness, I could and would testify competently thereto.

2. The extension of time for Defendant to file its Opposition to Plaintiff’s Motion to Strike Defendant’s Answer to Plaintiff’s First Amended Complaint (“Motion”) is necessary because the Motion presents complex legal issues that require careful consideration by Defendant. Under the parties’ proposed briefing schedule, briefing will be completed nine days prior to the Court’s scheduled hearing on the Motion.

3. There have been no previous time modifications sought or obtained in this case.

4. The requested time modification would have no effect on the schedule of this case.

I declare under penalty of perjury under the laws of the state of California and the United States of America that the foregoing is true and correct, and that this declaration was executed on the 11th day of May 2012, at Los Angeles, California.

/s/ Adam W. G. Freed

ADAM W.G. FREED