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7 Attorneys for Defendants
 BROMLEY TEA COMPANY, EASTERN TEA CORP. D/B/A
 8 BROMLEY TEA COMPANY, LONDON HOLDING
 COMPANY, INC., BROMLEY PRODUCTS CORP., IRA
 9 BARBAKOFF, PAUL BARBAKOFF AND GLENN
 BARBAKOFF

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN JOSE DIVISION

EMC

16 TONY CLANCY, on behalf of himself and all
 others similarly situated,

17 Plaintiff,

18 v.

19 BROMLEY TEA COMPANY, EASTERN TEA
 20 CORP. D/B/A BROMLEY TEA COMPANY,
 LONDON HOLDING COMPANY, INC.,
 21 BROMLEY PRODUCTS CORP., IRA
 BARBAKOFF, PAUL BARBAKOFF AND
 22 GLENN BARBAKOFF

23 Defendants.

Case No. CV12-03003-~~PSG~~

**STIPULATION AND
 [PROPOSED] ORDER
 EXTENDING TIME TO ANSWER
 AND CONTINUING THE CASE
 MANAGEMENT CONFERENCE**

1 Plaintiff Tony Clancy (“Plaintiff”), on behalf of himself and all others similarly situated,
2 and Defendants BROMLEY TEA COMPANY, EASTERN TEA CORP. D/B/A BROMLEY
3 TEA COMPANY, LONDON HOLDING COMPANY, INC., BROMLEY PRODUCTS CORP.,
4 IRA BARBAKOFF, PAUL BARBAKOFF AND GLENN BARBAKOFF (“Defendants”),
5 through their undersigned counsel, hereby stipulate as follows:

6 WHEREAS on October 9, 2012, Plaintiff filed an Amended Complaint;

7 WHEREAS Defendants recently retained counsel and intend to file an Answer to the
8 Amended Complaint;

9 WHEREAS the Amended Complaint is 48 pages long, and contains numerous allegations
10 which will require a substantial investigation on Defendants’ part in order to answer;

11 WHEREAS a case management conference would be premature at this time as
12 Defendants’ counsel requires time to investigate the issues and facts raised in the Amended
13 Complaint;

14 THE PARTIES HEREBY STIPULATE, subject to the approval of the Court, that:
15 Defendants shall have until January 23, 2013 to respond to Plaintiff’s Amended Complaint, and
16 the Case Management Conference shall be continued until February 5, 2013 at 2:00 p.m.

1 Dated: December 4, 2012

WILLIAM L. STERN
CLAUDIA M. VETESI
LISA A. WONGCHENKO
MORRISON & FOERSTER LLP

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By: /s/ William L. Stern

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WILLIAM L. STERN

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Attorneys for Defendants BROMLEY
TEA COMPANY, EASTERN TEA
CORP. D/B/A BROMLEY TEA
COMPANY, LONDON HOLDING
COMPANY, INC., BROMLEY
PRODUCTS CORP., IRA
BARBAKOFF, PAUL BARBAKOFF
AND GLENN BARBAKOFF

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11 Dated: December 4, 2012

Ben F. Pierce Gore (SBN 128515)
PRATT & ASSOCIATES
1901 S. Bascom Avenue, Suite 350
Campbell, California 95008

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By: /s/ Ben F. Pierce Gore

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BEN F. PIERCE GORE

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Attorneys for Plaintiff

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ECF ATTESTATION

I, William L. Stern, am the ECF User whose ID and password are being used to file the following: **STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO ANSWER AND CONTINUING THE CASE MANAGEMENT CONFERENCE.** In compliance with General Order 45, X.B., I hereby attest that Ben F. Pierce Gore has concurred in this filing.

Dated: December 4, 2012

WILLIAM L. STERN
CLAUDIA M. VETESI
LISA A. WONGCHENKO
MORRISON & FOERSTER LLP

By: /s/ William L. Stern
WILLIAM L. STERN

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The CMC is reset to 2/7/13 at 9:00 a.m. before Judge Chen. A joint CMC Statement is due 1/31/13.

DATED: 12/7/12

~~MAGISTRATE JUDGE PAUL SINGH GREWAL~~

