

1 LUANNE SACKS (Bar No. 120811)
 luanne.sacks@dlapiper.com
 2 CARTER W. OTT (Bar No. 221660)
 carter.ott@dlapiper.com
 3 ALEC CIERNY (Bar No. 275230)
 alec.cierny@dlapiper.com
 4 **DLA PIPER LLP (US)**
 555 Mission Street, Suite 2400
 5 San Francisco, CA 94105-2933
 Tel: 415.836.2500
 6 Fax: 415.836.2501

7 Attorneys for Defendant
 AVANQUEST NORTH AMERICA, INC.

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 BENSON WORLEY, individually and on
 13 behalf of all others similarly situated,
 14 Plaintiff,
 15 v.
 16 AVANQUEST NORTH AMERICA, INC.,
 a California corporation,
 17 Defendant.

CASE NO. 3:12-CV-04391-SI

**STIPULATION AND [PROPOSED]
 ORDER AMENDING BRIEFING
 SCHEDULE**

Judge: Hon. Susan Illston
 Dept: Courtroom10

1 To provide defendant Avanquest North America Inc. (“Avanquest”) with further time in
2 which to resolve the scope of its intended pleading challenge in response to the Complaint and to
3 account for the upcoming holiday season, the parties have conferred and agreed to alter their
4 stipulated schedule for briefing Avanquest’s pleading challenge. The parties do not seek to
5 continue or otherwise alter the hearing regarding that motion, currently scheduled for January 18,
6 2013, at 9:00 a.m.

7 Based on the foregoing and pursuant to Local Rule 6-1 of the Northern District of
8 California, the parties, by and through their attorneys of record, hereby stipulate and agree to
9 amend the briefing schedule regarding Avanquest’s pleading challenge as follows:

10 1. Avanquest’s last day to file its pleading challenge is extended from November 16,
11 2012 to November 21, 2012.

12 2. Plaintiff’s last day to file its opposition to Avanquest’s pleading challenge is
13 extended from December 7, 2012 to December 12, 2012.

14 3. Avanquest’s last day to file its reply in support of its pleading challenge is
15 extended from December 28, 2012 to January 4, 2013.

16 The parties have made two previous requests to modify these dates and deadlines. *See*
17 Docket Nos. 16 and 24.

18
19
20 Dated: November 13, 2012

EDELSON MCGUIRE, LLC

21 By: /s/ Benjamin H. Richman
22 BENJAMIN H. RICHMAN
23 Counsel for Plaintiff Benson Worley

24 Dated: November 13, 2012

DLA PIPER LLP (US)

25 By: /s/ Carter Ott
26 CARTER OTT
27 Counsel for Defendant Avanquest North
28 America, Inc.


1 I, Carter Ott, am the ECF user whose identification and password are being used to file the
2 foregoing Stipulation And [Proposed] Order Amending Briefing Schedule. I hereby attest that
3 the above-referenced signatory to this stipulation has concurred in this filing.

4 **ORDER**

5 PURSUANT TO STIPULATION, IT IS SO ORDERED:

- 6 1. Avanquest shall file its pleading challenge on or before November 21, 2012.
7 2. Plaintiff shall file his opposition to Avanquest's pleading challenge on or before
8 December 12, 2012.
9 3. Avanquest shall file any reply brief in support of its pleading challenge on or
10 before January 4, 2013.

11
12 Dated: 11/13, 2012

13
14 By: 
15 Honorable Susan Illston
16 United States District Court Judge

17 The motion hearing is scheduled for 1/25/13 at 9 a.m.

18 The case management conference is continued to 2/22/13, at 2:30 p.m.
19
20
21
22
23
24
25
26
27
28