

1 JAY EDELSON (Admitted *Pro Hac Vice*)
 jedelson@edelson.com
 2 RAFEY S. BALABANIAN (Admitted *Pro Hac Vice*)
 rbalabanian@edelson.com
 3 BENJAMIN H. RICHMAN (Admitted *Pro Hac Vice*)
 brichman@edelson.com
 4 CHANDLER R. GIVENS (Admitted *Pro Hac Vice*)
 cgivens@edelson.com
 5 EDELSON LLC
 350 North LaSalle Street, Suite 1300
 6 Chicago, Illinois 60654
 Telephone: (312) 589-6370
 7 Facsimile: (312) 589-6378

8 *Attorneys for Plaintiffs and the Putative Class*

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

13 BENSON WORLEY and JOHNNY BOYD,
 individually and on behalf of all others
 14 similarly situated,

15 *Plaintiffs,*

16 v.

17 AVANQUEST NORTH AMERICA, INC., a
 California corporation,

18 *Defendant.*

Case No. 3:12-cv-04391-SI

STIPULATION AND
[PROPOSED] ORDER

Judge: Honorable Susan Illston

19
 20 Plaintiffs Benson Worley and Johnny Boyd, and Defendant Avanquest North America, Inc.
 21 (“Avanquest”) (collectively, the “Parties”), by and through their undersigned counsel, hereby
 22 stipulate and agree, subject to Court approval, (i) to extend the briefing schedule on Defendant’s
 23 pending pleading challenge by one (1) week, and (ii) to continue the hearing on the same from
 24 April 19, 2013 to April 26, 2013 (or such later date and time as may be convenient for the Court).

25 In support of the instant stipulation, the Parties state as follows:

26 WHEREAS, on February 22, 2013, Plaintiffs filed their First Amended Class Action
 27 Complaint (Dkt. 52);

1 WHEREAS, on March 8th, Avanquest filed its pleading challenge of the First Amended
2 Complaint (Dkt. 53);

3 WHEREAS, Plaintiffs' deadline to respond in opposition to the pleading challenge is
4 currently March 22nd (Dkt. 51);

5 WHEREAS, Plaintiffs require a brief one (1) week extension of the current briefing
6 schedule in order to appropriately prepare their opposition to Avanquest's pleading challenge;

7 WHEREAS, the Parties have conferred and agreed, subject to Court approval, to extend the
8 current briefing schedule one (1) week, such that Plaintiffs' opposition shall be due no later than
9 March 29th and Avanquest's reply in support of the pleading challenge due no later than April 9th,
10 and further, to continue the hearing on the pleading challenge by one week as well, from April
11 19th to April 26th (or such later date as the Court may set);

12 WHEREAS, good cause exists to enter the instant stipulation, the Parties do not seek the
13 relief contemplated herein for any improper purpose, and the Parties have not previously requested
14 a modification of these dates and deadlines.

15 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED** as follows:

16 1. Plaintiffs shall file their opposition to Avanquest's pleading challenge no later than
17 March 29, 2013.

18 2. Avanquest shall file its reply in support of the pleading challenge no later than April
19 9, 2013.

20 3. The hearing on ~~Defendant's~~ pleading challenge currently set for April 19, 2013 at
21 9:00 a.m. shall be continued to ~~April 26~~ ^{May 2}, 2013 at 9:00 a.m.

22 **IT IS SO STIPULATED.**

23 **BENSON WORLEY and JOHNNY BOYD,**
24 individually and on behalf of all others similarly
situated,

25 Dated: March 20, 2013

26 By: /s/ Benjamin H. Richman
One of Plaintiffs' Attorneys

JAY EDELSON (Admitted *Pro Hac Vice*)
jedelson@edelson.com
RAFEY S. BALABANIAN (Admitted *Pro Hac Vice*)
rbalabanian@edelson.com
BENJAMIN H. RICHMAN (Admitted *Pro Hac Vice*)
brichman@edelson.com
CHANDLER R. GIVENS (Admitted *Pro Hac Vice*)
cgivens@edelson.com
EDELSON LLC
350 North LaSalle Street, Suite 1300
Chicago, Illinois 60654
Telephone: (312) 589-6370
Facsimile: (312) 589-6378

SEAN P. REIS (SBN 184044)
sreis@edelson.com
30021 Tomas Street, Suite 300
Rancho Santa Margarita, California 92688
Telephone: (949) 459-2124
Facsimile: (949) 459-2123

AVANQUEST NORTH AMERICA, INC.,

Dated: March 20, 2013

By: /s/ Mike Scott
One of Defendant's Attorneys

LUANNE SACKS (SBN 120811)
luanne.sacks@dlapiper.com
CARTER W. OTT (SBN 221660)
carter.ott@dlapiper.com
MIKE SCOTT (SBN 255282)
mike.scott@dlapiper.com
ALEC CIERNY (SBN 275230)
alec.cierny@dlapiper.com
DLA PIPER LLP (US)
555 Mission Street, Suite 2400
San Francisco, California 94105
Telephone: (415) 836-2500
Facsimile: (415) 836-2501

JOSEPH COLLINS (Admitted *Pro Hac Vice*)
joseph.collins@dlapiper.com
DLA Piper LLP (US)
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60601
Telephone: (312) 368-2143
Facsimile: (312) 630-7385

I, Benjamin H. Richman, am the ECF user whose identification and password are being used to file the foregoing Stipulation and [Proposed] Order. I hereby attest that the above-referenced signatory to this stipulation has concurred in this filing.

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.



ENTERED: 3/21/13

HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE