

Ropers Majeski Kohn & Bentley  
A Professional Corporation  
Redwood City

1 N. KATHLEEN STRICKLAND (SBN 64816)  
2 DEVIN C. COURTEAU (SBN 197505)  
3 JUSTIN A. ZUCKER (SBN 284401)  
4 ROPERS, MAJESKI, KOHN & BENTLEY  
5 1001 Marshall Street, Suite 500  
6 Redwood City, CA 94063-2052  
7 Telephone: (650) 364-8200  
8 Facsimile: (650) 780-1701  
9 Email: kstrickland@rmkb.com  
10 dcourteau@rmkb.com  
11 jzucker@rmkb.com

12 Attorneys for Defendant  
13 AVANQUEST NORTH AMERICA INC.

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 BENSON WORLEY and JOHNNY  
18 BOYD, individually and on behalf of all  
19 other similarly situated,

20 Plaintiff,

21 v.

22 AVANQUEST NORTH AMERICA INC.,  
23 a California corporation,

24 Defendant.

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

**STIPULATED REQUEST FOR ORDER  
CONTINUING ALL PENDING DATES,  
INCLUDING TIME TO FILE ANSWER,  
SUBMIT JOINT CASE MANAGEMENT  
STATEMENT, AND DISCOVERY;  
~~PROPOSED~~ ORDER**

Date:  
Time: 9:00 a.m.  
Judge: Hon. William H. Orrick  
Courtroom: 2 (17<sup>th</sup> Floor)

25 Pursuant to Local Rules 6-1, 6-2, 7-12, plaintiffs Benson Worley and Johnny Boyd  
26 (“Plaintiffs”) and defendant, Avanquest North America Inc. (“Defendant”) (“collectively,  
27 “Parties”), by and through their undersigned counsel, submit this Stipulated Request for Order  
28 Continuing All Pending Dates, Including Time to File Answer, Submit Joint Case Management  
Statement, and Discovery.

WHEREAS, on July 19, 2013, Ropers, Majeski, Kohn & Bentley was substituted into this  
case as Defendant’s counsel, six (6) business days before the time to file an answer to Plaintiffs  
First Amended Complaint (Doc. No. 75);

WHEREAS, on July 1, 2013, Plaintiffs served Discovery Requests on Defendant, and

1 responses were due July 31, 2013;

2 WHEREAS, The Parties previously stipulated to extend the time within which Defendant  
3 may respond to Plaintiffs' Discovery Requests to August 31, 2013 (Doc. No. 74);

4 WHEREAS, on July 1, 2013, Plaintiffs' noticed Defendant's Federal Rules of Civil  
5 Procedure Rule 30(b)(6) deposition;

6 WHEREAS, The Parties previously stipulated to extend the time within which Plaintiff  
7 may conduct Defendant's Federal Rules of Civil Procedure Rule 30(b)(6) deposition to no earlier  
8 than September 26, 2013 (Doc. No. 74);

9 WHEREAS, the Parties previously stipulated to extend the time within which Defendant  
10 may answer the First Amended Complaint to July 29, 2013 (Doc. Nos. 68-70);

11 WHEREAS, the Parties previously stipulated to extend the deadline for the parties to  
12 submit a Joint Case Management Statement to August 9, 2013 (Doc. Nos. 51, 67, 76);

13 WHEREAS, the Parties have conferred and agreed to jointly request a forty-five (45) day  
14 continuance of the time for: (1) Defendant to file an answer to Plaintiffs' First Amended  
15 Complaint to September 12, 2013; (2) Parties to submit their Joint Case Management Statement  
16 to September 23, 2013; (3) Defendant to respond to Plaintiffs' Discovery Requests to October 15,  
17 2013; and (4) Defendant's Federal Rules of Civil Procedure Rule 30(b)(6) deposition will be  
18 conducted no earlier than November 10, 2013;

19 WHEREAS, Local Rule 6-1 permits the parties to stipulate in writing without a court  
20 order, "to enlarge or shorten the time in matters not required to be filed or lodged with the Court  
21 . . . provided the change will not alter the date of any event or any deadline already fixed by Court  
22 order." Local Rule 6-1;

23 WHEREAS, the Parties are not aware of any date fixed by Court order that will be altered  
24 by the Parties' stipulation, absent the Court's execution of this Proposed Order (which would  
25 modify the deadline to file a Joint Case Management Statement);

26 WHEREAS, the requested extensions will not otherwise alter the schedule of this case;  
27 and

28 WHEREAS, good cause exists to grant the Parties' Stipulated Request.

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

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

1. Defendant's answer to Plaintiffs' First Amended Complaint shall be due on September 12, 2013;
2. Defendant's responses to Plaintiffs' Discovery Requests shall be due on October 15, 2013;
3. Plaintiffs' will conduct Defendant's Federal Rules of Civil Procedure Rule 30(b)(6) deposition no earlier than November 10, 2013, unless otherwise agreed by Parties.

**NOW THEREFORE, THE PARTIES JOINTLY REQUEST AN ORDER STATING:**

1. The Parties shall file their Joint Case Management Statement by September 23, 2013.

**IT IS SO STIPULATED.**

Dated: July 25, 2013

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

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

JAY EDELSON (Admitted *Pro Hac Vice*)  
jedelson@edelson.com  
RAFAY 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

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: July 25, 2013

AVANQUEST NORTHAMERICA INC.,

By: /s/ N. Kathleen Strickland  
One of Defendant's Attorneys

N. KATHLEEN STRICKLAND  
kstrickland@rmkb.com  
DEVIN C. COURTEAU  
dcourteau@rmkb.com  
JUSTIN A. ZUCKER  
jzucker@rmkb.com  
ROPERS, MAJESKI, KOHN & BENTLEY  
1001 Marshall Street, Suite 500  
Redwood City, CA 94063-2052  
Phone: (650) 364-8200  
Facsimile: (650) 780-1701

I, N. Kathleen Strickland, am the ECF user whose identification and password are being used to file the foregoing Stipulated Request for Order Continuing All Pending Dates, Including Time to File Answer, Submit Joint Case Management Statement, and Discovery and [Proposed] Order. I hereby attest that the above-referenced signatory to this Stipulated Request has concurred in this filing.

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

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Entered: 07/29/2013



\_\_\_\_\_  
HONORABLE WILLIAM H. ORRICK  
UNITED STATES DISTRICT JUDGE

Ropers Majeski Kohn & Bentley  
A Professional Corporation  
Redwood City