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13 Attorneys for Plaintiff and the Proposed Class

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

18 ERIN ALLEN, OFELIA FRECHETTE,  
 19 SHELLEY HARDER,  
 20 DEANA MARR, TAMMIE SHAWLEY,  
 21 BRIAN SMITH, AND BETTY VAZQUEZ,  
 22 on behalf of themselves and all others  
 23 similarly situated,  
 24  
 25  
 26 Plaintiffs,

CASE NO. 3:13-CV-01279-WHO  
**STIPULATION AND ~~PROPOSED~~  
 ORDER TO CONTINUE CLASS  
 CERTIFICATION BRIEFING AND  
 HEARING**

23 v.  
 24 CONAGRA FOODS INC., a Delaware  
 25 Corporation,  
 26  
 27 Defendant.

1 Pursuant to Civil Local Rule 6-2(b), Plaintiffs and Defendant Conagra Foods Inc., a  
2 Delaware Corporation (“Defendant), through their undersigned counsel, hereby stipulate as  
3 follows:

4 WHEREAS, Plaintiffs’ filed their renewed motion for class certification on March 1, 2019  
5 (dkt. # 240, 241) and Defendant filed its opposition to that motion on April 1, 2019 (dkt. # 252);

6 WHEREAS, pursuant to this Court’s order during the September 25, 2018 Case  
7 Management Conference, Plaintiffs’ reply brief is due May 1, 2019 and the hearing is scheduled  
8 for May15, 2019 at 2:00 p.m.

9 WHEREAS, in support of its opposition, Defendant submitted declarations from two  
10 experts, whom Plaintiffs wish to depose prior to filing their reply brief;

11 WHEREAS, one of those witnesses is based in Dallas, Texas, and due to conflicting  
12 schedules, the soonest mutually agreeable date for his deposition is May 14, 2019;

13 WHEREAS, the parties have agreed that Plaintiffs’ time to file their reply brief shall be  
14 continued to May 22, 2019, and the hearing should be continued to June 5, 2019 at 2:00 p.m.;

15 WHEREAS the extension will not alter the date of any other deadlines in this matter;

16 WHEREAS, this is the first extension requested on this motion since September 25, 2018  
17 Case Management Conference;

18 IT IS HEREBY STIPULATED AND AGREED by the parties, through their counsel, that  
19 pursuant to Local Rule 6-1(a), Plaintiffs’ time to file their reply in support of their renewed  
20 motion for class certification shall be extended from May 1 to May 22, 2019, and the hearing on  
21 that motion shall be continued from May 15, 2019 to June 5, 2019.  
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1 STIPULATED AND AGREED:  
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Attorneys for  
Conagra Foods, Inc.


18 **PROPOSED ORDER**

19 Pursuant to Civil Local Rule 6-2(b), and **GOOD CAUSE APPEARING THEREFOR**, it  
20 is therefore ORDERED that:

21 Plaintiffs' time to file their reply in support of their renewed motion for class  
22 certification shall be extended from May 1 to May 22, 2019, and the hearing on that motion shall  
23 be continued from May 15, 2019 to June 5, 2019.

24  
25 **IT IS SO ORDERED.**

26  
27 DATED: April 24, 2019

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THE HONORABLE WILLIAM H. ORRICK  
UNITED STATES DISTRICT JUDGE

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**ATTESTATION OF COMPLIANCE**

I, Kristen Simplicio, am the ECF user whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Andrew Phillips concurred in this filing.

/s/ Kristen Simplicio