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

12 STEVEN SIEGAL, JAMES RYBICKI, DAVID
 GROBLEBE, individually and as General Partner
 13 of GROBCO II, and CHRISTIAN WIPF, ON
 BEHALF OF THEMSELVES AND ALL
 14 INDIVIDUALS SIMILARLY SITUATED,
 15 Plaintiffs,

Case No. 13 Civ. 3570-RS

**STIPULATION TO MODIFY
 SCHEDULING ON DR. ALFRED
 LOPEZ’S MOTION TO DISMISS;
 [PROPOSED] ORDER**

16 vs.

17 G. THOMAS GAMBLE, LOREN J. MILLER,
 HENRY LOWENSTEIN, PAUL W. BATEMAN,
 18 EDWARD M. GABRIEL, JAMES S. MAYER,
 BEHROOZ SARAFRAZ, LYNN BLYSTONE,
 19 ALFRED LOPEZ, MASTON CUNNINGHAM,
 JOHN DURBIN, GREG BILLINGER, K&L
 20 GATES LLP, CHARLES A. DALE III, JOSHUA
 LANE, AND DOES 1 THROUGH 100,
 21 INCLUSIVE,
 22 Defendants.

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 24 WHEREAS, on October 5, 2015, Defendant Alfred Lopez filed a Motion To Dismiss the
 25 Second Amended Complaint (Dkt. 126);

26 WHEREAS, the hearing for Defendant’s Motion was set for November 19, 2015, at 1:30
 27 p.m.;

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1 WHEREAS, Plaintiffs' counsel has a conflict with the November 19, 2015 hearing date;

2 WHEREAS, Plaintiffs' counsel has a number of preexisting deadlines during the week of
3 October 19, 2015;

4 WHEREAS, Plaintiffs' opposition to Defendant's Motion is currently due October 19,
5 2015;

6 WHEREAS, Plaintiffs request a two-week extension to prepare and file oppositions to the
7 Defendant's Motion;

8 WHEREAS, Defendant has granted Plaintiffs' request for an extension; and

9 WHEREAS, Defendant believes it is appropriate for his Motion to be decided before a
10 renewed motion for preliminary approval of settlement;

11 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between
12 Plaintiffs and Defendant Lopez, subject to the approval of the Court, that:

- 13 (1) The hearing on Defendant's Motion shall be continued to January 14, 2016;
- 14 (2) Opposition papers to the Motion shall be filed on or before November 4, 2015;
- 15 (3) Reply papers in support of the Motion shall be filed on or before November 18,
16 2015;
- 17 (4) Plaintiffs' renewed Motion For Preliminary Approval of Settlement ("Preliminary
18 Approval Motion"), shall be set for hearing no earlier than February 18, 2016, or after the
19 Defendant's Motion has been decided, whichever date is later.

20 Dated: October 16, 2015

MARKUN ZUSMAN FRENIERE & COMPTON
LLP

By /s/ Kevin K. Eng
Edward S. Zusman
Kevin K. Eng

Attorneys for Plaintiffs

25 Dated: October 16, 2015

MURPHY COOKE KOBRICK LLP

By /s/ Christopher Cooke
Christopher Cooke

Attorneys for Defendant Dr. Alfred Lopez

~~PROPOSED~~ ORDER

Pursuant to the parties' stipulation and pursuant to Rule 7-11 of the Civil Local Rules, the Court hereby adopts and approves the terms of the parties' stipulation set forth above, and orders that:

- (1) The hearing on Defendant's Motion (Dkt. No. 126) shall be continued to January 14, 2016, 1:30 p.m.;
- (2) Opposition papers to the Motion shall be filed on or before November 4, 2015;
- (3) Reply papers in support of the Motion shall be filed on or before November 18, 2015;
- (4) Plaintiffs' renewed Motion For Preliminary Approval of Settlement ("Preliminary Approval Motion"), shall be set for hearing no earlier than February 18, 2016, or after the Motion has been decided, whichever date is later.

IT IS SO ORDERED.

Dated: 10/19/15



The Honorable Richard Seeborg
United States District Judge