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12 Attorneys for Defendant CSK AUTO, INC.  
 n/k/a O'Reilly Auto Enterprises, LLC

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA

16 OSMIN MELGAR, individually and on  
 17 behalf of all others similarly situated,

18 Plaintiff,

19 v.

20 CSK AUTO, INC., an Arizona  
 21 Corporation, and DOES 1-100,

22 Defendants.

Case No. C 13-03769 (EMC)

**STIPULATION TO CONTINUE  
 DEADLINE FOR SUPPLEMENTAL  
 BRIEF RE: PRELIMINARY APPROVAL  
 OF CLASS SETTLEMENT; [PROPOSED]  
 ORDER**

23  
 24 Plaintiffs OSMIN MELGAR and KARO KHATCHADOORIAN ("Plaintiffs"),  
 25 individually and on behalf of all others similarly situated and Defendant CSK AUTO, INC. n/k/a  
 26 O'Reilly Auto Enterprises, LLC ("Defendant") (collectively, the "Parties"), by and through their  
 27 respective attorneys of record, hereby stipulate and agree as follows:

28 **STIPULATION RE SUPPLEMENTAL PLEADING**

1           1.       On May 25, 2018, just before the Memorial Day holiday weekend, this Court  
2 issued an extensive Order Re: Supplemental Briefing for Plaintiffs' Motion for Preliminary  
3 Approval ordering the Parties to brief ten separate issues for the court by June 1, 2018.

4           2.       The offices of both Plaintiffs' and Defendant's counsel were closed on Monday,  
5 May 28, 2018. Since they returned to the office on Tuesday, May 29, counsel for both sides have  
6 spoken several times, and have been exchanging drafts of a joint pleading to respond to the  
7 Court's Order. Although the Parties are fairly far along with their draft, they have not had the  
8 opportunity to complete the brief to date, and are in the process of meeting and conferring about  
9 several distinct points therein. The Parties believe that, with an additional week of time, they will  
10 be able to resolve their respective concerns and file a comprehensive brief to address all of the  
11 Court's concerns.

12           3.       The Parties have stipulated and agreed, and hereby request a one-week extension,  
13 to June 8, 2018, so that they can complete their meet and confer discussions, finalize their joint  
14 pleading, and obtain client approval before filing it. With that extension, the Court will receive  
15 the filing nearly two weeks before the June 21, 2018 hearing date.

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17           **IT IS SO STIPULATED.**

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19           DATED: June 1, 2018

MICHAEL MALK, ESQ., APC

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21           By: *s/ Michael Malk*

MICHAEL MALK.

Attorneys for Plaintiffs OSMIN MELGAR and  
KARO KHATCHADOORIAN

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DATED: June 1, 2018

HIGGS FLETCHER & MACK, LLP

By: s/ Edwin Bonsike  
JAMES M. PETERSON, ESQ.  
EDWIN BONISKE, ESQ.  
Attorneys for Defendant CSK AUTO, INC. n/k/a  
O'REILLY AUTO ENTERPRISES, LLC

**ATTESTATION**

I, Michael Malk, am the ECF user whose User ID and Password are being used to file this Stipulation To Continue Deadline For Supplemental Brief Re: Preliminary Approval Of Class Settlement; [Proposed] Order. In compliance with applicable Local Rules, I hereby attest that concurrence in the filing of this Stipulation To Continue Deadline For Supplemental Brief Re: Preliminary Approval Of Class Settlement; [Proposed] Order has been obtained from signatory Edwin Boniske, Esq.

MICHAEL MALK, ESQ., APC

DATED: June 1, 2018

By: s/ Michael Malk  
MICHAEL MALK.  
Attorneys for Plaintiffs OSMIN MELGAR and  
KARO KHATCHADOORIAN

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**[PROPOSED] ORDER**

In accordance with the above stipulation, and for good cause shown, it is hereby ordered that the Parties' time to file a joint pleading responsive to the Order Re: Supplemental Briefing for Plaintiffs' Motion for Preliminary Approval is extended until June<sup>7</sup>-~~8~~, 2018.

