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Attorneys for Defendant Late July Snacks LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MARY SWEARINGEN and ROBERT FIGY,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

LATE JULY SNACKS LLC,

Defendant.

Case No. 13-cv-4324-EMC

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE AND
SETTING BRIEFING SCHEDULE ON
MOTION TO DISMISS THIRD
AMENDED COMPLAINT**

Judge: Hon. Edward M. Chen
Current CMC Date: July 27, 2017

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Subject to the Court’s approval, the parties stipulate as follows:

WHEREAS, on June 30, 2017, Defendant Late July Snacks LLC (“Late July”) filed a Motion to Dismiss Plaintiffs’ Third Amended Complaint (the “Motion”), which set September 14, 2017 as the hearing date;

WHEREAS, Plaintiffs’ response to Late July’s Motion is due on July 14, 2017, and Late July’s reply is due on July 21, 2017;

WHEREAS, due to the Fourth of July holiday and scheduling conflicts, Plaintiffs’ counsel needs additional time to respond to Late July’s Motion;

WHEREAS, a case management conference is currently scheduled on July 27, 2017; and

WHEREAS, the parties have conferred and agree that conducting the CMC prior to a hearing on Late July’s Motion is unlikely to advance this action or to be an efficient use of the Court’s or the parties’ resources;

The parties stipulate and respectfully request that the Court enter an order as follows:

1. Adjourning the July 27, 2017 CMC until September 14, 2017, or a date thereafter that is convenient for the Court;
2. Setting a deadline of July 28, 2017 for Plaintiffs to respond to the Motion; and
3. Setting a deadline of August 18, 2017 for Late July to file its reply brief.

Dated: July 5, 2017
By: /s/ Joshua L. Solomon
Joshua L. Solomon
Attorney for Defendant
LATE JULY SNACKS LLC

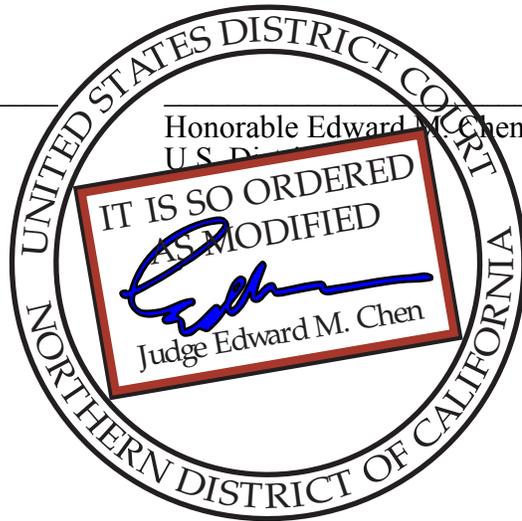
Dated: July 5, 2017
By: /s/ Pierce Gore
Pierce Gore
Attorney for Plaintiffs

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Further CMC reset
for 9/14/17 at 1:30
p.m.

Dated: 7/10/17



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