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Attorneys for Defendant Late July Snacks LLC

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

Case No. 13-cv-4324-EMC

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

Plaintiffs,

v.

LATE JULY SNACKS LLC,

Defendant.

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME FOR
DEFENDANT LATE JULY SNACKS
LLC TO RESPOND TO AMENDED
COMPLAINT**

1 WHEREAS, Plaintiffs’ original complaint in the above-entitled action was served on
2 Defendant Late July Snacks LLC (“Defendant”) on October 9, 2013;

3 WHEREAS, Plaintiffs and Defendant previously agreed, by stipulation filed on October
4 14, 2013, to extend the time for Defendant to answer or otherwise respond to the Complaint to
5 November 29, 2013;

6 WHEREAS, Defendant filed a motion to dismiss Plaintiffs’ complaint on November 27,
7 2013;

8 WHEREAS, on November 27, 2013, the Court issued a notice setting the following
9 dates: Plaintiffs’ reply to Defendant’s motion to dismiss due on December 18, 2013; hearing on
10 motion to dismiss set for February 6, 2014 at 1:30 p.m.; Case Management Statement due by
11 February 20, 2013; and Case Management Conference reset from January 2, 2013 to February
12 27, 2014 at 9:00 a.m.;

13 WHEREAS, on November 4, 2013, Plaintiffs filed a notice of intent to file an amended
14 complaint (the “Amended Complaint”);

15 WHEREAS, Plaintiffs filed their Amended Complaint on December 18, 2013, in lieu of
16 a response to Defendant’s motion to dismiss;

17 WHEREAS, the Amended Complaint is nearly three times as long as the original
18 complaint and contains thirteen causes of action, in contrast to the original complaint’s two
19 causes of action;

20 WHEREAS, in light of the expanded length and added legal complexity of the Amended
21 Complaint, as well as the upcoming holidays and counsel’s pre-existing travel plans related to
22 the holidays, Plaintiffs and Defendant have agreed to extend the time for Defendant to answer or
23 otherwise respond to the Amended Complaint to February 3, 2014;

24 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED pursuant to Civil
25 Local Rule 6-1(a), by and between the parties to this action per their undersigned counsel, that
26 the deadline for Defendant to answer or otherwise respond to the Amended Complaint is hereby
27 extended to February 3, 2014.
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Dated: December 20, 2013

By: /s/ Rocky C. Tsai

Rocky C. Tsai
Attorneys for Defendant
LATE JULY SNACKS LLC

Dated: December 20, 2013

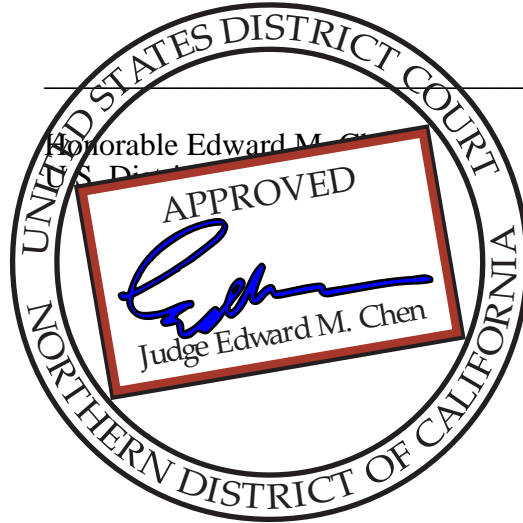
By: /s/ Ben F. Pierce Gore

Ben F. Pierce Gore
Attorneys for Plaintiffs

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 1/2/14



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