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 11 *Mary Swearingen and Robert Figy*

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

15 MARY SWEARINGEN and ROBERT FIGY, individually and on behalf of all others similarly 16 situated, 17 Plaintiffs, 18 19 v. 20 21 HEALTHY BEVERAGE, LLC and THE HEALTHY BEVERAGE COMPANY, 22 Defendants. 23 24) Case No.: 3:13-CV-04385 EMC)) JOINT STIPULATION AND) [PROPOSED] ORDER) RE: CONTINUANCE OF CASE) MANAGEMENT CONFERENCE)) Judge: Hon. Edward M. Chen)) Action Filed: January 20, 2013)) Current CMC date: June 23, 2016)) Proposed CMC date: July 28, 2016)))
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25 Subject to the Court’s approval, the parties stipulate as follows:

26 WHEREAS, on April 22, 2016, this Court scheduled a Case Management Conference (“CMC”)
 27 for September 8, 2016 at 10:30 a.m. [Dkt. 83];

28 WHEREAS, on June 1, 2016, the Court reset the CMC from September 8, 2016 to June 23,

1 2016 [Dkt. 93];

2 WHEREAS, Plaintiffs' counsel is unavailable on June 23, 2016 due to a previously scheduled
3 deposition; and

4 WHEREAS, the parties seek to continue the CMC to July 28, 2016.

5 The parties stipulate that:

6 1. The Case Management Conference scheduled for June 23, 2016 shall be continued to
7 July 28, 2016 at ^{10:30 A.M.}~~9:30~~ a.m., or on such further date as the Court orders; and

8 2. The parties shall submit a Joint Case Management Statement on or before July 21, 2016.

9
10 Dated: June 7, 2016

FOX ROTHSCHILD LLP

11 /s/ Michael Eidel

12 By: Michael Eidel

13 *Attorneys for Defendants Healthy Beverage,
14 LLC d/b/a The Healthy Beverage Company*

15 Dated: June 7, 2016

PRATT & ASSOCIATES

16 /s/ Ben F. Pierce Gore

17 By: Ben F. Pierce Gore

18 *Attorneys for Plaintiffs Mary Swearingen and
19 Robert Figy*

20 **L.R. 5-1(i)(3) ECF Attestation**

21 I, Michael Eidel, am the ECF user whose ID and password are being used to file the following:

22 **JOINT STIPULATION AND PROPOSED ORDER RE: CONTINUANCE OF CASE**

23 **MANAGEMENT CONFERENCE.** In compliance with L.R. 5-1(i)(3), I hereby attest that we have
24 concurred in this filing.

25 Dated: June 7, 2016

/s/ Michael Eidel

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~~[PROPOSED]~~ ORDER

Good cause appearing therefor and pursuant to stipulation, **IT IS SO ORDERED.** (modified above)

Dated: June ¹⁰____, 2016



