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15 Attorneys for Defendant
 16 **WHOLE FOODS MARKET GROUP, INC.**

18 **UNITED STATES DISTRICT COURT**
 19 **NORTHERN DISTRICT OF CALIFORNIA**

20 MARY GARRISON and GRACE
 21 GARRISON, individually, and on behalf of all
 others similarly situated,

22 Plaintiffs,

23 v.

24 **WHOLE FOODS MARKET GROUP, INC.,**

25 Defendant.

Case No. 4:13-CV-05222-RS

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO EXTEND BRIEFING
 SCHEDULE FOR DEFENDANT'S
 MOTION TO DISMISS THE FIRST
 AMENDED COMPLAINT AND
 MOTION TO STRIKE**

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 Stipulation and [Proposed] Order to Extend Briefing Schedule for
 Defendant's Motion To Dismiss and Motion to Strike

1 Pursuant to Civil Local Rule 7-12, Plaintiffs Mary Garrison and Grace Garrison
2 (“Plaintiffs”) and Defendant Whole Foods Market Group, Inc. (“Defendant”) (collectively, “the
3 Parties”), by and through their counsel hereby stipulate and agree as follows:

4 WHEREAS, Defendant filed its Motion to Dismiss Plaintiffs’ First Amended Complaint
5 and Motion to Strike on April 7, 2014 (“Motion”);

6 WHEREAS, Plaintiffs’ current deadline to respond to Defendant’s Motion is April 21,
7 2014 and Plaintiffs desire an additional week to extend a briefing schedule for their response;

8 WHEREAS, the Parties have consequently agreed to allow Defendant an additional
9 week to reply to Plaintiffs’ response to Defendant’s Motion;

10 WHEREAS, the Initial Case Management Conference is currently scheduled for May
11 15, 2014;

12 WHEARAS, the Parties have agreed to continue the Initial Case Management
13 Conference to the continued Motion hearing date;

14 WHEREAS, the Parties have conferred and Defendant does not oppose Plaintiffs’
15 request;

16 IT IS HEREBY STIPULATED that

17 1. Plaintiffs’ deadline to file a response to Defendant’s Motion shall be extended an
18 additional seven days to April 28, 2014;

19 2. Defendant’s deadline to file a reply to Plaintiff’s response to Defendant’s Motion
20 shall be extended an additional seven days to May 12, 2014;

21 3. The Initial Case Management Conference is continued to the continued Motion
22 hearing date of May 29, 2014 or the next available date thereafter that is convenient for the
23 Court.

24 4. By entering into this stipulation, Defendants do not waive any defense they may
25 have to this matter, including but not limited to lack of personal jurisdiction.

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27 **IT IS SO STIPULATED.**

1 DATED: APRIL 10, 2014

SCOTT COLE & ASSOCIATES, APC

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3 By: /s/Courtland W. Creekmore

4 Matthew R. Bainer
5 Molly A. DeSario
6 Courtland W. Creekmore
7 Attorneys for Plaintiffs and the Plaintiff Classes

8 DATED: April 10, 2014

SEYFARTH SHAW LLP


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10 By: /s/Joseph J. Orzano

11 Jay W. Connolly
12 Giovanna A. Ferrari
13 Joseph J. Orzano
14 Attorneys for Defendant
15 WHOLE FOODS MARKET GROUP, INC.

16 ~~PROPOSED~~ ORDER

17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18
19 DATED: 4/10/14

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21 HON. RICHARD SEEBOR
22 United States District Court Judge
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