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7 Attorneys for Defendant  
 8 WHOLE FOODS MARKET GROUP, INC.

9  
 10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA

12  
 13 MARY GARRISON and GRACE  
 14 GARRISON, individually, and on behalf of all  
 others similarly situated,

15 Plaintiffs,

16 v.

17 WHOLE FOODS MARKET GROUP, INC.,

18 Defendant.

Case No. 3:13-CV-05222-VC

**STIPULATION AND ~~PROPOSED~~  
 ORDER FOR LIMITED  
 MODIFICATION TO SCHEDULING  
 ORDER**

19  
 20 Pursuant to Local Rule 6-1(b), Plaintiffs MARY GARRISON and GRACE GARRISON,  
 21 individually, and on behalf of all others similarly situated (collectively “Plaintiffs”), on the one  
 22 hand, and Defendant WHOLE FOODS MARKET GROUP, INC. (“Defendant”), by and through  
 23 their undersigned counsel, hereby stipulate as follows:

24 WHEREAS, on February 11, 2015, the Court entered a minute entry setting forth several  
 25 case deadlines consistent with the Parties’ most recent Joint Case Management Conference  
 26 Statement, including the requirement that the Parties submit a stipulated ESI Protocol or letter  
 27 brief outlining any dispute regarding the ESI Protocol by March 3, 2015. (Dkt. 58.)

28 WHEREAS, on March 5, 2015, at the request of the Parties, the Court extended the

1 March 3, 2015 deadline to March 17, 2015.

2 WHEREAS, the Parties continue to confer on issues pertaining to the draft ESI Protocol  
3 and desire additional time to attempt to resolve their dispute without resorting to intervention  
4 from the Court.

5 WHEREAS, the additional time the Parties seek to attempt to reach agreement on an ESI  
6 Protocol will not alter any other case deadlines.

7 IT IS THEREFORE STIPULATED that:

8 1. Instead of filing a stipulated ESI Protocol or joint letter brief to the Court on or  
9 before March 17, 2015, the Parties shall submit a stipulated ESI Protocol on or before March 24,  
10 2015 to the extent the Parties resolve their dispute and are able to reach an agreement by that  
11 time.

12 2. To the extent the Parties have not reached an agreement as to an ESI Protocol by  
13 that time, the Parties shall provide an update on the progress of their efforts to the Court in their  
14 updated Joint Case Management Conference Statement due to be filed on March 24, 2015, with a  
15 proposed schedule for resolving the dispute.

16 3. All other deadlines remain unchanged.

17 IT IS SO STIPULATED.

18 DATED: March 16, 2015

SEYFARTH SHAW LLP

19 By: /s/ Joseph J. Orzano  
Jay W. Connolly  
20 Giovanna A. Ferrari  
21 Joseph J. Orzano

22 Attorneys for Defendant  
WHOLE FOODS MARKET GROUP, INC.

23 DATED: March 16, 2015

SCOTT COLE & ASSOCIATES, APC

24 By: /s/ Molly A. Desario  
25 Matthew R. Bainer  
Molly a. DeSario

26 Attorneys for Plaintiffs  
27 MARY GARRISON and GRACE  
GARRISON, individually and on behalf of all  
28 other similarly situated

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~~PROPOSED~~ ORDER

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

1. Instead of filing a stipulated ESI Protocol or joint letter brief to the Court on or before March 17, 2015, the Parties shall submit a stipulated ESI Protocol on or before March 24, 2015 to the extent the Parties resolve their dispute and are able to reach an agreement by that time.

2. To the extent the Parties have not reached an agreement as to an ESI Protocol by that time, the Parties shall provide an update to the Court in their updated Joint Case Management Conference Statement due to be filed on March 24, 2015, with a proposed schedule for resolving the dispute.

3. All other deadlines remain unchanged.

DATED: March 18, 2015

  
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HON. VINCE CHHABRIA  
United States District Court Judge

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