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Attorneys for Defendant  
 8 VAN'S INTERNATIONAL FOODS

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 10 **UNITED STATES DISTRICT COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA**  
 12 **SAN FRANCISCO DIVISION**

13 DANA RHINERSON, and AIDIN MORADI,  
 14 individually, and on behalf of all others  
 similarly situated,

15 Plaintiffs,

16 v.

17 VAN'S INTERNATIONAL FOODS, d/b/a  
 18 Vans Natural Foods,

19 Defendants.

Lead Case No. 3:13-cv-05923-VC

Case No.: 3:15-cv-01509-VC

Case No.: 3:15-cv-01723-VC

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO DEEM DEFENDANT  
 VAN'S INTERNATIONAL FOOD'S  
 ANSWER TO PLAINTIFFS'  
 COMPLAINT APPLICABLE TO  
 PLAINTIFFS' FIRST AMENDED  
 CONSOLIDATED COMPLAINT**

22 PATRICIA CAMPBELL, an individual, on her  
 own behalf and on behalf of all others similarly  
 23 situated,

24 Plaintiff,

25 v.

26 VAN'S INTERNATIONAL FOODS, INC., an  
 Arizona corporation,

27 Defendants.  
 28

1 GREGORY FREI, individually and on behalf of  
2 all others similarly situated,

3 Plaintiff,

4 v.

5 VAN'S INTERNATIONAL FOODS, INC., a  
6 California Corporation,

7 Defendants.

8 Pursuant to Civil Local Rule 7-12, plaintiffs and Defendant Van's International Foods  
9 ("Van's"), by and through their attorneys of record, stipulate as follows:

10 WHEREAS, on July 16, 2014, Van's filed an Answer to plaintiffs' Complaint. ECF No.  
11 54.

12 WHEREAS, on October 22, 2014, plaintiffs filed a First Amended Complaint solely to  
13 correct Van's legal name to not contain the entity designation "Inc." ECF No. 67.

14 WHEREAS, on November 25, 2014, Van's filed a Stipulation to Deem Answer  
15 Applicable to First Amended Complaint. ECF No. 68.

16 WHEREAS, on June 29, 2015, plaintiffs in the three above-captioned actions filed a First  
17 Amended Consolidated Complaint, virtually identical to the First Amended Complaint filed on  
18 October 22, 2014. *See* ECF No. 89.

19 WHEREAS, counsel for both Parties met and conferred with respect to Van's Answer to  
20 the First Amended Consolidated Complaint.

21 WHEREAS, both parties agreed that Van's previously filed Answer should be deemed to  
22 apply to plaintiffs' First Amended Consolidated Complaint.

23 **THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by and between the Parties,  
24 through their respective counsel of record, as follows:

25 1. Defendant Van's International Foods (Van's) shall not be required to answer  
26 plaintiffs' First Amended Consolidated Complaint, filed on June 29, 2015, at ECF No. 89. In  
27 addition, all denials, responses, and affirmative defenses contained in Van's Answer, filed on  
28 July 16, 2014, at ECF No. 54, shall be deemed to be Van's denials, responses, and affirmative

1 defenses to the First Amended Consolidated Complaint.

2       2. In particular, Van's Answer to paragraphs 1 through 8 of the Complaint shall be  
3 deemed to answer paragraphs 1 through 11 of the First Amended Consolidated Complaint.  
4 Van's Answer to paragraphs 9 through 123 of the Complaint shall be deemed to answer  
5 paragraphs 12 through 126 of the First Amended Consolidated Complaint. Van's Answer to  
6 paragraphs 124 through 125 of the Complaint shall be deemed to answer paragraph 127 of the  
7 First Amended Consolidated Complaint. Van's Answer to paragraphs 126 through relief sought  
8 in the Complaint shall be deemed to respond to paragraphs 128 through relief sought in the First  
9 Amended Consolidated Complaint.

10       **IT IS SO STIPULATED.**

11 Dated: July 7, 2015

MAYER BROWN LLP

12 By: /s/ Keri E. Borders  
13 Keri E. Borders  
14 Attorneys for Defendant  
Van's International Foods

15 Dated: July 7, 2015

SCOTT COLE & ASSOCIATES, APC

16 By: /s/ Christopher B. Johnson  
17 Christopher B. Johnson  
18 Attorneys for Representative Plaintiffs  
and the Plaintiff Classes

19  
20       **ATTESTATION**

21 I, Keri E. Borders, hereby attest, pursuant to N.D. Cal. Local Rule 5-1(i)(3) that  
22 concurrence to the filing of this document has been obtained from each signatory.

23 By: /s/ Keri E. Borders  
24 Keri E. Borders

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**PROPOSED ORDER**

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

DATED: July 9, 2015



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HON. VINCE CHHABRIA  
United States District Judge