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 Stacy Sciortino and Arielle Weinstock

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 10 **UNITED STATES DISTRICT COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12 STACY SCIORTINO and ARIELLE  
 13 WEINSTOCK,

14 Plaintiffs,

15 v.

16  
 17 PEPSICO, INC.,

18 Defendant.

CASE NO. 3:14-CV-00478 (EMC)

**CLASS ACTION**

**STIPULATION AND [~~PROPOSED~~]  
 ORDER TO CONTINUE CASE  
 MANAGEMENT CONFERENCE**

Current CMC Date: May 29, 2014  
 Proposed New Date: July 10, 2014

**AND RELATED CASES:**

- Cortina v. PepsiCo*, Case No. 14-2023-EMC
- Granados v. PepsiCo*, Case No. 14-1316-EMC
- Ibusuki v. PepsiCo*, Case No. 14-1193-EMC
- Ree v. PepsiCo*, Case No. 14-1192-EMC
- Aourout v. PepsiCo*, Case No. 14-1105-EMC
- Hall v. PepsiCo*, Case, No. 14-01099-EMC
- Langley v. PepsiCo*, Case No. 14-713-EMC

1 WHEREAS, the following cases have been filed against Defendant PepsiCo, Inc.  
2 (“Defendant”), involving common questions of fact and law regarding the alleged presence of 4-  
3 Methylimidazole in certain of Defendant’s products:

- 4 1. *Cortina v. PepsiCo, Inc.*, No. 14-2023-EMC (N.D. Cal., filed Jan. 23, 2014);
- 5 2. *Sciortino v. PepsiCo, Inc.*, No. 14-478-EMC (N.D. Cal., filed Jan. 31, 2014);
- 6 3. *Riva v. PepsiCo, Inc.*, No. 14-2020-RS (N.D. Cal., filed Feb. 13, 2014);<sup>1</sup>
- 7 4. *Langley v. PepsiCo, Inc.*, No. 14-713-EMC (N.D. Cal., filed Feb. 14, 2014);
- 8 5. *Aourout v. PepsiCo, Inc.*, No. 14-1105-EMC (N.D. Cal., filed Feb. 14, 2014);
- 9 6. *Ree v. PepsiCo, Inc.*, No. 14-1192-EMC (N.D. Cal., filed Mar. 4, 2014);
- 10 7. *Hall v. PepsiCo, Inc.*, No. 14-1099-EMC (N.D. Cal., filed Mar. 7, 2014);
- 11 8. *Ibusuki v. PepsiCo, Inc.*, No. 14-1193-EMC (N.D. Cal., filed Mar. 7, 2014); and
- 12 9. *Granados v. PepsiCo, Inc.*, No. 14-1316-EMC (N.D. Cal., filed Mar. 14, 2014).

13 WHEREAS, a Case Management Conference is currently scheduled for May 29, 2014, in  
14 all of the above cases except the *Cortina* and *Riva* actions;

15 WHEREAS, the parties have agreed to file the instant stipulation in lieu of a Case  
16 Management Statement;

17 WHEREAS, Defendant has filed a Motion to Relate Cases in order to relate the *Riva*  
18 action to the actions already pending before the Honorable Edward M. Chen;

19 WHEREAS, Plaintiffs in a majority of the above actions intend to file a Motion to  
20 Consolidate and a Motion for Appointment of Interim Co-Lead Counsel with a noticed hearing  
21 date of July 10, 2014;

22 WHEREAS, mindful of the Court’s normal calendar schedule for hearing Civil Motions  
23 and Case Management Conferences, the parties propose, in the interests of efficiency and judicial  
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25 <sup>1</sup> The *Riva* action was originally filed in the Southern District of California, but was  
26 transferred to the Northern District upon a Motion to Transfer filed by Defendant. *Riva v.*  
27 *PepsiCo, Inc.*, No. 14-2020-RS (N.D. Cal., filed Feb. 13, 2014) Order [ECF 20]. Defendant has  
28 filed a motion to relate this case before this Court. *See Sciortino v. PepsiCo, Inc.*, No. 14-478-  
EMC (N.D. Cal., filed Jan. 31, 2014) Motions to Relate [ECF 36].





1 DATED: May 23, 2014

**GIBSON, DUNN & CRUTCHER LLP**

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By:           /s/ Christopher Chorba            
**CHRISTOPHER CHORBA**  
Attorneys for Defendant PepsiCo, Inc.

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

Dated:           5/27/14          



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**FILER'S ATTESTATION**

I, William A. Baird, am the ECF user whose identification and password are being used to file this **STIPULATION AND [PROPOSED] ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE**. I hereby attest that the counsel listed above concur in this filing.

DATED: May 23, 2014

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*/s/ William A. Baird*  
WILLIAM A. BAIRD