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16 Attorneys for Defendant PepsiCo, Inc.

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN FRANCISCO DIVISION

20 STACY SCIORTINO, et al., on behalf of
 themselves and all others similarly situated,

21 Plaintiffs,

22 v.

23 PEPSICO, INC., a North Carolina Corporation,

24 Defendant.

CASE NO. 14-CV-478-EMC,
 consolidated for pre-trial purposes with
 Case Nos. 14-713, 14-1099, 14-1105,
 14-1192, 14-1193, 14-1316, 14-2023

PUTATIVE CLASS ACTION

**STIPULATION AND [~~PROPOSED~~]
 ORDER RE-SETTING HEARING ON
 DEFENDANT PEPSICO, INC.'S
 MOTION TO DISMISS PLAINTIFFS'
 CONSOLIDATED AMENDED
 COMPLAINT FROM JANUARY 29, 2015
 TO FEBRUARY 12, 2015**

The Honorable Edward M. Chen

1 **STIPULATION**

2 WHEREAS, on August 25, 2014, Plaintiffs filed their Consolidated Amended Complaint;

3 WHEREAS, on October 24, 2014, Defendant PepsiCo, Inc. filed its Motion to Dismiss
4 Plaintiffs' Consolidated Amended Complaint;

5 WHEREAS, Defendant's Motion to Dismiss Plaintiffs' Consolidated Amended Complaint
6 is presently scheduled to be heard on January 29, 2015 at 1:30 p.m.;

7 WHEREAS, due to a scheduling conflict of certain defense counsel, the parties have agreed
8 to seek to re-set the hearing on Defendant's Motion to Dismiss from January 29, 2015 to February
9 12, 2015; and

10 WHEREAS, this stipulation will not alter the date of any other event or deadline already
11 fixed by the Court or the parties;

12 NOW THEREFORE, the parties stipulate that, subject to Court approval, the hearing on
13 Defendant's Motion to Dismiss Plaintiffs' Consolidated Amended Complaint shall be re-set to
14 February 12, 2015 at 1:30 p.m., or as soon thereafter as the Court may order.

15 IT IS SO STIPULATED.

16 Dated: January 21, 2015

Respectfully submitted,

17 ARNOLD & PORTER LLP

18 By: /s/ Trenton H. Norris

19 TRENTON H. NORRIS

20 Attorneys for Defendant PepsiCo, Inc.

21 Dated: January 21, 2015

PEARSON, SIMON & WARSHAW, LLP

22 By: /s/ Daniel L. Warshaw

23 DANIEL L. WARSHAW

24 Interim Co-Lead Counsel for Plaintiffs

25 GLANCY BINKOW & GOLDBERG LLP

26 By: /s/ Marc L. Godino

27 MARC GODINO

28 Interim Co-Lead Counsel for Plaintiffs

ATTESTATION

Pursuant to Civil Local Rule 5-1, I, Trenton H. Norris, attest that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

/s/ Trenton H. Norris
Trenton H. Norris

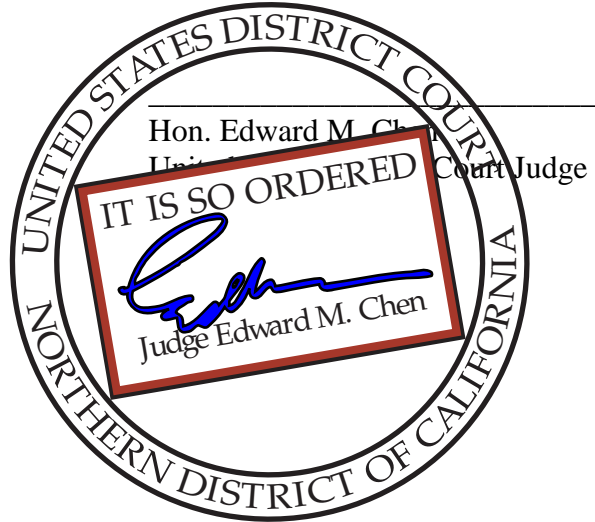
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ORDER

Having considered the parties' stipulation, the Court hereby orders that the hearing on Defendant PepsiCo, Inc's Motion to Dismiss Plaintiffs' Consolidated Amended Complaint is re-set to February 12, 2015 at 1:30 p.m. The previously scheduled hearing date of January 29, 2015 for Defendant's Motion To Dismiss Plaintiffs' Consolidated Amended Complaint is vacated.

IT IS SO ORDERED.

DATED: 1/21/15 _____



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