

1 PATRICK W. EMERY, ESQ., SB #061050  
 2 ABBEY, WEITZENBERG, WARREN & EMERY, P.C.  
 3 100 Stony Point Road, Suite 200 (95401)  
 4 P.O. Box 1566  
 5 Santa Rosa, CA 95402-1566  
 6 Telephone: 707-542-5050  
 7 Facsimile: 707-542-2589

8 BRETT EMISON, ESQ., *Pro Hac Vice*  
 9 ADAM W. GRAVES, ESQ., *Pro Hac Vice*  
 10 PHYLLIS A. NORMAN, ESQ., *Pro Hac Vice*  
 11 LANGDON & EMISON  
 12 911 Main Street  
 13 P.O. Box 220  
 14 Lexington, MO 64067  
 15 Telephone: 660-259-6175  
 16 Facsimile: 660-259-4571

17 ERIC L. DIRKS, ESQ., *Pro Hac Vice*  
 18 WILLIAMS DIRKS DAMERON, LLC  
 19 1100 Main Street, Suite 2600  
 20 Kansas City, MO 64105  
 21 Telephone: 816-876-2600  
 22 Facsimile: 816-221-8763

23 ATTORNEYS FOR PLAINTIFF

24 UNITED STATES DISTRICT COURT  
 25 NORTHERN DISTRICT OF CALIFORNIA

26 THOMAS HAGEDORN, on behalf of  
 27 himself and all others similarly situated,

28 Plaintiff,

v.

NEST LABS, INC.,

Defendant.

Case No. 3:14-cv-00755-VC

**STIPULATION TO EXTEND BRIEFING  
 DEADLINE AND [PROPOSED] ORDER**

Date: July 10, 2014  
 Time: 10:30 a.m.  
 Place: Courtroom 4, 17th Floor  
 Judge: Hon. Vince Chhabria

Complaint Filed: February 19, 2014

1 Plaintiff Thomas Hagedorn ("Hagedorn") and Defendant Nest Labs, Inc. ("Nest"), by and  
2 through their counsel, hereby jointly stipulate as follows:

- 3 1. Defendant filed a Motion to Dismiss on May 16, 2014 and noticed it for hearing on  
4 July 10, 2014. Dkt. 30;
- 5 2. Pursuant to local rule, Plaintiff's Response to Defendant's Motion to Dismiss will be  
6 due on Friday, May 30, 2014;
- 7 3. Plaintiff's counsel has previous commitments in the two weeks following Defendant's  
8 submission of Defendant's Motion to Dismiss and requests an additional two weeks to  
9 file a response to Defendant's Motion to Dismiss;

10 Because of these time constraints, the parties stipulate and agree that Plaintiff shall  
11 have an additional two weeks, or until June 16, 2014, to file his Opposition to  
12 Defendant's Motion to Dismiss. The parties further stipulate and agree that  
13 Defendant's Reply will be due on June 26, 2014.

- 14 4. This is the same proposed briefing schedule that the parties included in their Case  
15 Management Statement.

16 **IT IS SO STIPULATED.**

17 WILLIAMS DIRKS DAMERON LLC

18  
19 Dated: May 16, 2014

By: /s/ Eric Dirks

ERIC L. DIRKS

20 Attorneys for Plaintiff  
21 Thomas Hagedorn

22  
23 Dated: May 16, 2014

KEKER & VAN NEST LLP

24 By: /s/ Simona A. Agnolucci

25 BENEDICT Y. HUR  
26 SIMONA A. AGNOLUCCI

27 Attorneys for Defendant  
28 NEST LABS, INC.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the filing of this document has been obtained from the other signatories.


Dated: May 16, 2014

/s/ Eric Dirks  
Eric Dirks

~~**[PROPOSED]**~~ ORDER

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

Dated: May 19, 2014

  
\_\_\_\_\_  
Honorable Vince Chhabria  
Judge, United States District Court