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16
 17 **UNITED STATES DISTRICT COURT**
 18 **NORTHERN DISTRICT OF CALIFORNIA**
 19

20 Thomas Carnes, by and through his Guardian ad Litem,
 Juliana Christine Clegg, on his own behalf and on behalf
 21 of others similarly situated,

22 Plaintiff,

23 vs.

24 Atria Senior Living, Inc. and Does 1 Through 100,

25 Defendants.
 26

CASE NO. 3:14-cv-02727-VC

STIPULATION AND
~~**[PROPOSED]**~~ **ORDER TO**
EXTEND FILING DEADLINE
FOR BRIEFING PERTAINING
TO DEFENDANT'S MOTION
TO DISMISS PLAINTIFF'S
FIRST AMENDED CLASS
ACTION COMPLAINT

Judge: Hon. Vince Chhabria

1 Pursuant to Local Rule 6-1(a), the parties hereby provide notice of their stipulation to
2 extend the time for filing briefings pertaining to Defendant’s Motion to Dismiss Plaintiff’s First
3 Amended Class Action Complaint.

4 **WHEREAS**, under Local Rule 7-3(a), an opposition to a motion “must be filed and served
5 not more than 14 days after the motion was filed”;

6 **WHEREAS**, under Local Rule 7-3(c), “[t]he reply to an opposition must be filed and
7 served not more than 7 days after the opposition was due”;

8 **WHEREAS**, the Defendant filed its Motion to Dismiss Plaintiff’s First Amended Class
9 Action Complaint (“Defendant’s Motion”) on September 11, 2014;

10 **WHEREAS**, the current deadline for Plaintiff to file his brief in opposition of Defendant’s
11 Motion is September 25, 2014;

12 **WHEREAS**, the current deadline for Defendant to file a reply to Plaintiff’s opposition is
13 October 2, 2014;

14 **WHEREAS**, the hearing on Defendant’s Motion is scheduled to occur on November 6,
15 2014;

16 **WHEREAS**, the Parties, upon meeting and conferring, have agreed to modify the briefing
17 schedule pertaining to Defendant’s Motion;

18 **WHEREAS**, the Parties’ stipulation will not alter the date of any event or any deadline
19 already fixed by Court order;

20 **NOW THEREFORE, THE PARTIES STIPULATE THAT:**

21 1. The deadline for Plaintiff to file his brief in opposition of Defendant’s Motion will
22 be extended by 7 days from September 25, 2014, to October 2, 2014.

23 2. The deadline for Defendant to file its reply to Plaintiff’s opposition will be extended
24 by 7 days from October 2, 2014, to October 9, 2014.

25 3. The date of the hearing on Defendant’s Motion will remain November 6, 2014.

26 **IT IS SO STIPULATED.**

27

28

1 Respectfully submitted,

2 DATED: September 23, 2014

3 STEBNER AND ASSOCIATES

4 /s/ Kathryn A. Stebner

5 Kathryn A. Stebner

6 Attorneys for Plaintiff and the proposed Class

7 DATED: September 23, 2014

8 LEWIS BRISBOIS BISGAARD & SMITH LLP

9 /s/ Jeffrey S. Ranen

10 Jeffrey S. Ranen

11 Attorneys for Defendant

12 **DECLARATION OF CONSENT**

13 I, Kathryn A. Stebner, hereby declare pursuant to General Order 45, § X(B), that I have
14 obtained concurrence in the filing of this document from Jeffrey S. Ranen. I declare under
15 penalty of perjury that the foregoing is true and correct.

16 Executed on September 23, 2014, in the City of San Francisco, California.

17 /s/ Kathryn A. Stebner

18 Kathryn A. Stebner

19
20
21 **PROPOSED ORDER**

22 Pursuant to the Stipulation, **IT IS SO ORDERED.**

23
24 Dated: September 24, 2014



25 Honorable Vince Chhabria
26 United States District Judge