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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VICTOR GUTTMANN, on behalf of himself
and all other similarly situated,

No. C 15-00567 WHA

Plaintiff,

v.

NISSIN FOODS (U.S.A.) COMPANY INC.,

**ORDER RE STIPULATION RE
MOTION TO DISMISS AND
FIRST AMENDED COMPLAINT**


Defendant.

In February 2015, plaintiff commenced this putative class action regarding trans fat in instant noodles. Defendant filed a motion to dismiss. Now, the parties seek via joint stipulation to continue the time for plaintiff to file a response to defendant’s motion so that plaintiff can file a first amended complaint to add an additional claim (Dkt. No. 22). Plaintiff’s counsel represent that they need to provide defendant with a thirty-day notice prior to adding this claim. To the following extent, the parties’ stipulation is hereby **GRANTED**. Plaintiff has until **MAY 1 AT NOON**, to file a first amended complaint (or opposition to defendant’s pending motion to dismiss). Accordingly, the hearing on defendant’s pending motion to dismiss is hereby continued to **MAY 14 AT 11:00 A.M.** (the same date as the initial case management conference). If a first amended complaint is timely filed, then the motion hearing will be vacated but the initial case management conference will remain on calendar.

Both sides shall please review the undersigned judge’s class action notice (Dkt. No. 10).

IT IS SO ORDERED.

Dated: April 2, 2015.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE