

1 **PERKINS COIE LLP**
 2 DAVID P. CHIAPPETTA, *State Bar No. 172099*
 3 *DChiappetta@perkinscoie.com*
 4 MARA BOUNDY, *State Bar No. 287109*
 5 *MBoundy@perkinscoie.com*
 6 Four Embarcadero Center, Suite 2400
 7 San Francisco, CA 94111-4131
 8 Telephone: 415.344.7000
 9 Facsimile: 415.344.7050

6 DAVID J. BURMAN, *Pro Hac Vice*
 7 *DBurman@perkinscoie.com*
 8 SHYLAH R. ALFONSO, *Pro Hac Vice*
 9 *SAlfonso@perkinscoie.com*
 10 DAVID S. STEELE, *Pro Hac Vice*
 11 *DSteele@perkinscoie.com*
 12 1201 Third Avenue, Suite 4900
 13 Seattle, Washington 98101-3099
 14 Telephone: 206.359.8000
 15 Facsimile: 206.359.9000

16 Attorneys for Plaintiff,
 17 COSTCO WHOLESALE CORPORATION

18 UNITED STATES DISTRICT COURT
 19 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 20 SAN FRANCISCO DIVISION

21 COSTCO WHOLESALE CORPORATION,
 22 Plaintiff,
 23 v.
 24 JOHNSON & JOHNSON VISION
 25 CARE, INC.,
 26 Defendant.

Case No. 15-cv-00941 HSG

**STIPULATED REQUEST TO
 ENLARGE TIME TO OPPOSE
 DEFENDANT’S MOTION TO
 DISMISS AND ORDER**

[Civil L.R. 6-2]

Complaint Filed: March 2, 2015

1
2 It is stipulated between Plaintiff Costco Wholesale Corporation (“Costco”) and Defendant
3 Johnson & Johnson Vision Care, Inc. (“J&J”) by their respective attorneys as follows:

4 1. The parties previously stipulated to extend J&J’s deadline to answer or otherwise
5 respond to Costco’s complaint to April 17, 2015;

6 2. On April 17, 2015, J&J filed a motion to dismiss Costco’s complaint under
7 Federal Rule of Civil Procedure 12(b)(6);

8 3. J&J noticed the motion for hearing before this Court on July 2, 2015;

9 4. The parties now agree to extend Costco’s deadline to oppose J&J’s motion to May
10 29, 2015;

11 5. The parties further agree that J&J’s reply brief in support of its motion is due on or
12 before June 12, 2015;

13 6. Beyond previously stipulating to extend J&J’s time to respond to the complaint,
14 the parties have not otherwise requested extensions of any deadlines from this Court. Enlarging
15 Costco’s time to respond will not alter any existing deadlines or the current case schedule.

16 **IT IS SO STIPULATED.**

17 DATED: April 24, 2015

PERKINS COIE LLP

18 By: /s/ Shylah R. Alfonso

19 David J. Burman, *Pro Hac Vice*
20 *DBurman@perkinscoie.com*
21 Shylah R. Alfonso, *Pro Hac Vice*
22 *SAlfonso@perkinscoie.com*
23 David S. Steele, *Pro Hac Vice*
DSteele@perkinscoie.com
1201 Third Avenue, Suite 4900
Seattle, Washington 98101-3099
Telephone: 206.359.8000
Facsimile: 206.359.9000

24 David P. Chiappetta, *State Bar No. 172099*
DChiappetta@perkinscoie.com
25 Mara Boundy, *State Bar No. 287109*
MBoundy@perkinscoie.com
26 Four Embarcadero Center, Suite 2400
San Francisco, California 94111
27 Telephone: 415.344.7000
Facsimile: 415.344.7050

28 Attorneys for Plaintiff,
COSTCO WHOLESALE CORPORATION

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

DATED: April 24, 2015

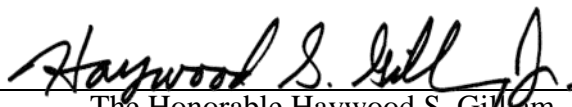
PATTERSON BELKNAP WEBB & TYLER LLP

By: /s/ William F. Cavanaugh
William F. Cavanaugh, State Bar No. 133461
wfcavanaugh@pbwt.com
1133 Avenue of the Americas
New York, NY 10036
Telephone: 212.336.2000
Facsimile: 212.336.2222

Attorneys for Defendant,
JOHNSON & JOHNSON VISION CARE, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April 27, 2015


The Honorable Haywood S. Gilliam, Jr.
UNITED STATES DISTRICT JUDGE

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

I, Shylah R. Alfonso, do hereby declare pursuant to Civil L.R. 5(i)(3) that concurrence in the filing of the foregoing document has been obtained from Defendant’s counsel, William F. Cavanaugh, on this 24th day of April, 2015.

/s/ Shylah R. Alfonso
Shylah R. Alfonso