

1 SEYFARTH SHAW LLP
 Catherine M. Dacre (SBN 141988)
 2 cdacre@seyfarth.com
 Justin Curley (SBN 233287)
 3 jcurley@seyfarth.com
 560 Mission Street, 31st Floor
 4 San Francisco, California 94105
 Telephone: (415) 397-2823
 5 Facsimile: (415) 397-8549

6 SEYFARTH SHAW LLP
 Heath A. Havey (SBN 244087)
 7 hhavey@seyfarth.com
 400 Capitol Mall, Suite 2350
 8 Sacramento, CA 95814
 Telephone: (916) 448-0159
 9 Facsimile: (916) 558-4839

10 SEYFARTH SHAW LLLP
 David D. Kadue (SBN 113578)
 11 2029 Century Park East, Suite 3500
 Los Angeles, CA 90067-3021
 12 Telephone: (310) 277-7200
 Fax: (310) 201-5219

13 Attorneys for Defendants
 14 DS SERVICES OF AMERICA, INC.
 (fka DS WATERS OF AMERICA, INC.) and
 15 COSTCO WHOLESALE CORPORATION

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

20 CHRIS EDDINGS, KENDAL HEATH, and LINO
 21 GONZALEZ, as individuals, on behalf of
 themselves, all others similarly situated, and the
 22 general public,,
 23

Plaintiffs,

24 v.

25 DS WATERS OF AMERICA, INC., a
 corporation; DS SERVICES OF AMERICA, INC.,
 26 a corporation; COSTCO WHOLESALE
 CORPORATION, a corporation; and DOES 1-
 27 100,
 28

Defendants.

ALEXANDER KRAKOW + GLICK LLP
 Michael S. Morrison (State Bar No. 205320)
 401 Wilshire Boulevard, Suite 1000
 Santa Monica, California 90401
 T: 310 394 0888 | F: 310 394 0811
 E: mmorrison@akgllp.com

LAW OFFICES OF KYLE TODD
 Kyle J. Todd (State Bar No. 286370)
 Daniel O'Neil-Ortiz (State Bar No. 269299)
 611 Wilshire Boulevard, Suite 1000
 Los Angeles, California 90017
 T: (323) 208-9171
 E: kyle@kyletodd.com

Attorneys for Plaintiffs
 CHRIS EDDINGS, KENDALL HEATH, and
 LINO GONZALEZ, as individuals, on behalf of
 themselves, all others similarly situated, and the
 general public

Case No. 3:15-cv-2576
 AMENDED
**JOINT STIPULATION TO CONTINUE
 CASE MANAGEMENT CONFERENCE
 AND ~~PROPOSED~~ ORDER**

**(Removed from Superior Court Of
 California, County Of Alameda, Case No.
 RG15759224)**

1 Pursuant to USDC ND Cal. Civil Local Rule 6, the Parties to the above-entitled action, Plaintiffs
2 Chris Eddings, Kendal Heath, and Lino Gonzalez (“Plaintiffs”) and Defendants DS Services of America,
3 Inc. and Costco Wholesale Corporation (“Defendants”) (collectively referred to herein as “the Parties”),
4 by and through their undersigned counsel, hereby stipulate and agree as follows:

5 WHEREAS, an Initial Case Management Conference was held on September 22, 2015, wherein
6 the parties requested to be allowed to participate in private mediation in January 2016, and the Court
7 granted the request and set a further Case Management Conference for January 26, 2016, and with Case
8 Management Statements due by January 19, 2016. (Dkt. 20.)

9 WHEREAS, Plaintiffs and Defendants agreed to use mediator Jeffrey Ross for private mediation
10 of this class action case. As of September 22, 2015, Jeffrey Ross only had one mediation date available
11 in January that was prior to the Case Management Conference, but the parties were unable to mediate on
12 that date due to conflicts. Therefore, the parties agreed to mediate on February 9, 2016. (Declaration of
13 Heath A. Havey (“Havey Decl.”), at ¶2.)

14 WHEREAS, Plaintiffs and Defendants met and conferred on January 11, 2016, and again on
15 January 14, 2016, and agreed that the purpose of the further Case Management Conference, which is to
16 discuss the results of private mediation, will best be served after mediation is completed, and agreed that
17 it should be continued to February 23, 2016, or the next available date convenient for the Court, and
18 further agreed that the purposes of the September 22, 2015 minute entry (EMF No. 20) would best be
19 served if the due date for the Case Management Statements was continued to seven days before the Case
20 Management Conference, or February 16, 2016. (Havey Decl., ¶3.)

21 WHEREAS, the parties have not previously requested any time modification for this Case
22 Management Conference, although the Court sua sponte changed the time of the Case Management
23 Conference from 10:00 a.m. to 2:30 p.m. on January 14, 2016. (EMF No. 24; Havey Decl., ¶4.)

24 WHEREAS, the parties, through counsel for Defendants Heath A. Havey, have submitted a
25 declaration compliant with USDC ND Cal. Civil Local Rule 6-2(a).

26 NOW THEREFORE, the Parties stipulate and request that the Court enter an order that the
27 January 26, 2016 Case Management Conference be continued to February 23, 2016, or the next
28 available date convenient for the Court.

1 NOW THEREFORE, the Parties stipulate and request that the Court enter an order that the
2 updated Case Management Statements currently due on January 19, 2016, be continued to February 16,
3 2016, or 7 days before the Case Management Conference.

4 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

5 DATED: January 15, 2016

6 Respectfully submitted,

7 SEYFARTH SHAW LLP

8 By: /s/ Heath A. Havey

9 Catherine M. Dacre

10 Heath A. Havey

11 Attorneys for Defendants

12 DS SERVICES OF AMERICA, INC. (fka DS
13 WATERS OF AMERICA, INC.) and COSTCO
14 WHOLESALE CORPORATION

1 DATED: January 15, 2016

Respectfully submitted,
ALEXANDER KRAKOW + GLICK LLP

4 By: /s/ Michael S. Morrison
Michael S. Morrison
Attorneys for Plaintiffs

6 DATED: January 15, 2016

Respectfully submitted,
LAW OFFICE OF KYLE TODD

10 By: /s/ Kyle J. Todd
Kyle J. Todd
Daniel O'Neil-Ortiz
Attorneys for Plaintiffs

CHRIS EDDINGS, KENDALL HEATH, AND
LINO GONZALEZ, as individuals, on behalf of
themselves, all others similarly situated, and the
general public.

16 **ORDER**

17 PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS ORDERED that:

18 The January 26, 2016 Case Management Conference is continued to February 23, 2016 at ~~10:00~~

19 ~~10:00~~ 1:30 p.m.

20 The Case Management Statement currently due by January 19, 2016, is continued to February
21 16, 2016.

22 DATED: January 20, 2016


HON. VINCE CHHABRIA