

1 ROBERT D. PHILLIPS, JR. (SBN: 82639)
Email: rphillips@reedsmith.com
2 THOMAS A. EVANS (SBN 202841)
Email: tevans@reedsmith.com
3 REED SMITH LLP
101 Second Street, Suite 1800
4 San Francisco, CA 94105
Telephone: (415) 543-8700
5 Facsimile: (415) 391-8269

6 Attorneys for Defendant
H. J. HEINZ COMPANY
7

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO**

11 TROY BACKUS,
12 Plaintiff,
13 v.
14 H. J. HEINZ COMPANY,
15 Defendant.

Case No. 3:15-CV-02738-WHO

**STIPULATION TO EXTEND TIME TO
RESPOND TO COMPLAINT;
STIPULATION AND ORDER TO
CONTINUE CASE MANAGEMENT
CONFERENCE**

The Honorable William H. Orrick

Complaint Filed: June 18, 2015
Trial Date: None Set

18
19
20
21
22
23
24
25
26
27
28

1 Pursuant to Civil L.R. 6-1(a), defendant H. J. Heinz Company (“Heinz”) and plaintiff Troy
2 Backus stipulate and agree to extend Heinz’s time to respond to the Complaint in this matter by an
3 additional fourteen (14) days, until October 9, 2015. On September 9, 2015, the parties stipulated to
4 extend Heinz’s time to respond by fourteen days, until September 25, 2015.

5 This stipulated extension will not affect any event or deadline that has been set by the Court.
6 The Court has previously granted a stipulated request for an additional week for Backus to respond
7 to any motion filed by Heinz in response to the Complaint. This extension will remain and run from
8 the date of Heinz’s filing of any motion in response to the Complaint.

9 Pursuant to Civil L.R. 6-1(b) and 6-2, the parties further stipulate to and request that the
10 Court continue the Case Management Conference from September 23, 2015, at 2:00 p.m. to October
11 6, 2015, at 2:00 p.m. or a later date. The parties are discussing a resolution of this matter that will
12 result in the dismissal of this action. Good cause exists for the requested continuance because
13 continuing the Case Management Conference will allow both the parties and the Court to avoid
14 expending unnecessary time and resources preparing for and attending the scheduled proceeding
15 while the parties continue negotiations.

16
17 DATED: September 18, 2015

THE WESTON FIRM

18
19 By: /s/ Gregory S. Weston
20 Gregory S. Weston
21 Attorneys for Plaintiff TROY BACKUS
22 and the proposed class.

23 DATED: September 18, 2015

REED SMITH LLP

24
25 By: /s/ Thomas A. Evans
26 Thomas A. Evans
27 Robert D. Phillips, Jr.
28 Attorneys for Defendant
H. J. HEINZ COMPANY

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, Thomas A. Evans, am the ECF User whose identification and password are being used to file this document. I hereby attest that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: September 18, 2015

REED SMITH LLP

By: /s/ Thomas A. Evans
Thomas A. Evans
Robert D. Phillips, Jr.
Attorneys for Defendant
H. J. HEINZ COMPANY

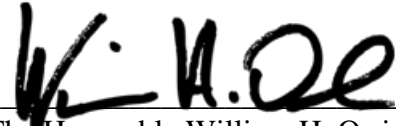
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Pursuant to stipulation of the parties and good cause being shown, it is hereby ORDERED that the Case Management Conference, currently set for September 23, 2015, at 2:00 p.m, is continued to October 6, 2015, at 2:00 p.m

IT IS SO ORDERED.

Dated: September 21, 2015



The Honorable William H. Orrick
United States District Judge