

1 Laurence D. King (SBN 206423)
 Linda M. Fong (SBN 124232)
 2 Matthew B. George (SBN 239322)
 Mario M. Choi (SBN 243409)
 3 **KAPLAN FOX & KILSHEIMER LLP**
 350 Sansome Street, Suite 400
 4 San Francisco, CA 94104
 Telephone: 415-772-4700
 5 Facsimile: 415-772-4707
lking@kaplanfox.com
 6 lfong@kaplanfox.com
mgeorge@kaplanfox.com
 7 mchoi@kaplanfox.com

8 Frederic S. Fox (*pro hac vice*)
 Donald R. Hall (*pro hac vice*)
 9 **KAPLAN FOX & KILSHEIMER LLP**
 850 Third Avenue, 14th Floor
 10 New York, NY 10022
 Telephone: 212-687-1980
 11 Facsimile: 212-687-7714
ffox@kaplanfox.com
 12 dhall@kaplanfox.com

13 *Attorneys for Plaintiff*
 14 COLLEEN GALLAGHER

15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
 17 **SAN FRANCISCO DIVISION**

Charles C. Cavanagh (SBN 198468)
 Allison Dodd (*pro hac vice*)
MESSNER REEVES LLP
 1430 Wynkoop Street, Suite 300
 Denver, CO 80202
 Telephone: 303-623-1800
 Facsimile: 303-623-0552
ccavanagh@messner.com
adodd@messner.com

Sascha Henry (SBN 191914)
**SHEPPARD, MULLIN, RICHTER &
 HAMPTON, LLP**
 333 South Hope Street, 43rd Floor
 Los Angeles, CA 90071
 Telephone: 213-620-1780
 Facsimile: 213-620-1398
shenry@sheppardmullin.com

Attorneys for Defendant
CHIPOTLE MEXICAN GRILL, INC.

18 COLLEEN GALLAGHER, Individually
 and on Behalf of All Others Similarly
 19 Situated,
 20 Plaintiff,
 21 v.
 22 CHIPOTLE MEXICAN GRILL, INC., a
 Delaware Corporation,
 23 Defendant.
 24

Case No. 3:15-cv-03952-HSG

**STIPULATION PURSUANT TO
 CIVIL LOCAL RULE 6-2 AND ORDER
 RESCHEDULING HEARING DATE ON
 DEFENDANT’S MOTION TO DISMISS
 THE CLASS ACTION COMPLAINT**

Judge: Hon. Haywood S. Gilliam, Jr.
 Courtroom: 15, 18th Floor
 Date: October 29, 2015
 Time: 2:00 p.m.

1 WHEREAS, Plaintiff Colleen Gallagher (“Plaintiff”) filed her Complaint against Defendant
2 Chipotle Mexican Grill, Inc. (“Defendant”) on August 28, 2015 [ECF No. 1];

3 WHEREAS, on September 11, 2015, the Court set the Case Management Conference for
4 this matter for December 8, 2015 [ECF No. 16];

5 WHEREAS, Defendant filed its Motion to Dismiss the Complaint on September 21, 2015,
6 and set a date for the hearing on its motion before this Court for October 29, 2015 (the “Hearing
7 Date”) [ECF Nos. 18, 19];

8 WHEREAS, Plaintiff filed her Memorandum in Opposition to the Motion to Dismiss on
9 October 5, 2015 [ECF Nos. 23, 24], and Defendant filed its Reply in Further Support of the Motion
10 to Dismiss on October 13, 2015 [ECF No. 27];

11 WHEREAS, Plaintiff’s attorneys have a conflict on the Hearing Date and have sought
12 Defendant’s concurrence to reschedule the Hearing Date;

13 WHEREAS, Defendant’s attorneys do not oppose rescheduling the Hearing Date to
14 accommodate Plaintiff’s attorneys so long as Defendant has the opportunity to be heard on its
15 motion;

16 WHEREAS, the parties conferred on a mutually available Hearing Date;

17 WHEREAS, taking into account the Court’s available law and motion hearing dates, the
18 earliest date in which the parties are able to reschedule the Hearing Date is for a Thursday in
19 January 2016, after the date for the Case Management Conference;

20 WHEREAS, the parties seek to avoid unnecessary time, burden, and expense for the Court
21 and for the parties; and

22 WHEREAS, there has been no previous time modifications, but the proposed rescheduling
23 of the Hearing Date may affect the date of the Case Management Conference;

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25 ///
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1 ACCORDINGLY, THE PARTIES JOINTLY STIPULATE AND RESPECTFULLY
2 REQUEST THAT:

3 The Court reschedule both the Hearing and the Case Management Conference to be heard
4 concurrently on Thursday, January 14, 2016.

5
6 DATED: October 21, 2015

Respectfully submitted,

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8 By: /s/ Laurence D. King

Laurence D. King

Linda M. Fong

Matthew B. George

Mario M. Choi

KAPLAN FOX & KILSHEIMER LLP

350 Sansome Street, Suite 400

San Francisco, CA 94104

Telephone: 415-772-4700

Facsimile: 415-772-4707

Frederic S. Fox (*pro hac vice*)

Donald R. Hall (*pro hac vice*)

KAPLAN FOX & KILSHEIMER LLP

850 Third Avenue, 14th Floor

New York, NY 10022

Telephone: 212-687-1980

Facsimile: 212-687-7714

Attorneys for Plaintiff COLLEEN GALLAGHER

17
18
19 By: /s/ Charles C. Cavanagh

Charles C. Cavanagh

Allison Dodd (*pro hac vice*)

MESSNER REEVES LLP

1430 Wynkoop Street, Suite 300

Denver, CO 80202

Telephone: 303-623-1800

Facsimile: 303-623-0552

Sascha Henry

**SHEPPARD, MULLIN, RICHTER &
HAMPTON, LLP**

333 South Hope Street, 43rd Floor

Los Angeles, CA 90071

Telephone: 213-620-1780

Facsimile: 213-620-1398

Attorneys for Defendant

CHIPOTLE MEXICAN GRILL, INC.

1 **ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)**

2 I, Mario M. Choi, attest that concurrence in the filing of this document has been obtained
3 from the other signatories. I declare under penalty of perjury under the laws of the United States
4 of America that the foregoing is true and correct.

5 Executed this 21st day of October, 2015, at San Francisco, California.

6
7 /s/ Mario M. Choi
8 MARIO M. CHOI

9
10
11 **ORDER**

12 **IT IS SO ORDERED.**

13 Dated: October 22, 2015

14 Haywood S. Gilliam, Jr.
15 Hon. Haywood S. Gilliam, Jr.
16 United States District Judge