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12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

15 ROBERT HODSDON, on behalf of himself and
 16 all others similarly situated,

17 Plaintiff,

18 v.

19 MARS, INC., a Delaware corporation, and
 20 MARS CHOCOLATE NORTH AMERICA
 LLC, a Delaware company,

21 Defendants.

Case No. 3:15-cv-04450-RS

CLASS ACTION

**JOINT STIPULATION TO
 CONTINUE CASE MANAGEMENT
 CONFERENCE TO COINCIDE
 WITH MOTION TO DISMISS
 HEARING DATE; [~~PROPOSED~~]
 ORDER**

Judge: Hon. Richard Seeborg
 Ctrm.: 3

1 Pursuant to Local Rules 6-1(b), 6-2(a), and 7-12, plaintiff Robert Hodsdon (“Plaintiff”) and
2 defendants Mars, Inc. and Mars Chocolate North America, LLC (“Mars”) hereby stipulate to
3 continue the case management conference date from January 7, 2016, at 10:00 a.m., to January 28,
4 2016, at 10:00 a.m., in order to coincide with the hearing date on Mars’s motion pursuant to Federal
5 Rule of Civil Procedure 12.

6 WHEREAS, on October 21, 2015, the parties entered into a scheduling stipulation pursuant
7 to Local Rule 6-1(a) by which Mars filed its motion on November 20, 2015, Plaintiff must oppose by
8 December 14, 2015, and Mars must respond by December 23, 2015;

9 WHEREAS, counsel for the parties conferred regarding a mutually convenient date for the
10 hearing on Mars’s motion;

11 WHEREAS, Mars noticed the hearing on its motion for January 28, 2016;

12 WHEREAS, in the interests of efficiency and conserving the resources of the parties and the
13 Court, the parties agree that the initial case management conference scheduled for January 7, 2016,
14 shall be continued to coincide with the hearing on Mars’s motion;

15 WHEREAS, the new date for the case management conference is not sought for the purposes
16 of unnecessary delay; and

17 WHEREAS, the parties have also agreed on a schedule to complete their Rule 26 obligations;

18 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE:

- 19 1. The hearing on any motion filed by Mars pursuant to Federal Rule of Civil Procedure 12
20 shall be on January 28, 2016, at 1:30 p.m., or on such other date ordered by the Court;
- 21 2. The Case Management Conference shall take place on January 28, 2016 at 1:30 p.m., or
22 on such other date ordered by the Court for the hearing on Mars’s motion.
- 23 3. The last day to (i) meet and confer regarding initial disclosures, early settlement, ADR
24 process selection, and discovery plan, (ii) file ADR Certificate and (iii) file either
25 Stipulation to ADR Process or Notice of Need for ADR Phone Conference shall be
26 December 18, 2015 (previously December 17, 2015).
- 27 4. The last day to file the Rule 26(f) report, complete initial disclosures or state objection in
28 Rule 26(f) report, and file the Case Management Statement shall be January 15, 2016

1 (previously December 31, 2015).

2 Respectfully submitted,

3 DATED: November 23, 2015

HAGENS BERMAN SOBOL SHAPIRO LLP

4 By: /s/ Elaine T. Byszewski
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15
16 *Attorneys for Defendants Mars, Inc. and Mars
Chocolate North America, LLC*

17 **SIGNATURE ATTESTATION**

18 I hereby attest that I have obtained the consent of Stephen D. Raber, counsel for Defendants,
19 for the filing of this stipulation.
20

21 By: /s/ Elaine T. Byszewski
Elaine T. Byszewski

22
23
24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25 Dated: 11/23/15

26
27 

The Honorable Richard Seeborg
United States District Judge