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8 *Counsel for Plaintiffs Nancy Coe, Tori Castro,*
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10 [Additional Counsel on Signature Page]

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

14 NANCY COE, TORI CASTRO, and
 15 PAMELA MIZZI, individually, and on behalf
 16 of those similarly situated,

17 Plaintiffs,

18 v.

19 GENERAL MILLS, INC.,

20 Defendant.

Case No. 3:15-cv-05112-TEH

STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING BRIEFING
SCHEDULE AND HEARING DATE ON
MOTION TO DISMISS AND REQUEST
FOR JUDICIAL NOTICE AND
ADJOURNING INITIAL CASE
MANAGEMENT CONFERENCE

Civil L.R. 6-2

1 Pursuant to Civil L.R. 6-2, Plaintiffs Nancy Coe, Tori Castro, and Pamela Mizzi
2 (collectively, “Plaintiffs”) and Defendant General Mills, Inc. (“Defendant”) (collectively, Plaintiffs
3 and Defendant are the “Parties”), by and through their undersigned counsel, stipulate as follows,
4 subject to an order approving the stipulation:

5 WHEREAS, Defendant received service of Plaintiffs’ Complaint on November 12, 2015;

6 WHEREAS, on December 3, 2015, the Parties filed a stipulation and proposed order that
7 extended the deadline for Defendant to file a response to Plaintiffs’ Complaint to January 15, 2016,
8 and proposed a briefing schedule and hearing date on Defendant’s anticipated motion to dismiss
9 (Stip. & Proposed Order Regarding Mot. Briefing & Hr’g Schedule, ECF No. 17);

10 WHEREAS, on December 7, 2015, the Court so ordered the December 3, 2015, stipulation
11 (Stip. & Order Regarding Mot. Briefing & Hr’g Schedule, ECF No. 18);

12 WHEREAS, on January 13, 2016, the Parties filed a stipulation and proposed order that
13 extended the deadline for Defendant to respond to Plaintiffs’ Complaint to January 29, 2016,
14 extended the related briefing schedule, and continued the hearing date on Defendant’s anticipated
15 motion to dismiss (Stip. & Proposed Order Continuing Hr’g Date & Re-setting Briefing Schedule,
16 ECF No. 20);

17 WHEREAS, on January 15, 2016, the Court so ordered the January 13, 2016, stipulation
18 (Stip. & Order Continuing Hr’g Date & Re-setting Briefing Schedule, ECF No. 21);

19 WHEREAS, on January 29, 2016, Defendant filed a motion to dismiss Plaintiffs’ Complaint
20 (Def.’s Notice Mot. & Mot. Dismiss Compl., ECF No. 22), along with a supporting request for
21 judicial notice (Def.’s Req. Judicial Notice Supp. Mot. Dismiss Compl., ECF No. 23);

22 WHEREAS, on December 9, 2015, the Court scheduled an Initial Case Management
23 Conference for April 11, 2016, at 1:30 p.m. in Courtroom 12, 19th Floor, San Francisco, and set the
24 deadline to file a Case Management Statement as April 4, 2016 (Clerk’s Notice on Reassignment,
25 ECF No. 19);

26 WHEREAS, due to recently arising scheduling conflicts and commitments of counsel, the
27 Parties now seek a continuance of the previously-scheduled hearing date on Defendant’s motion to
28 dismiss and supporting request for judicial notice, and they wish to stipulate to an extension of the

1 briefing schedule on those motions, as follows:

<u>Event</u>	<u>Proposed Date</u>	<u>Current Date</u>
2 Plaintiffs' opposition papers to be filed and served	March 18, 2016	March 4, 2016
3 Defendant's reply papers to be filed and served	April 6, 2016	March 14, 2016
4 Hearing	May 23, 2016, at 10:00 a.m.	April 4, 2016, at 10:00 a.m.

8
9 WHEREAS, the Parties also request that the Court adjourn the Initial Case Management
10 Conference and the deadline for the Case Management Statement until after the Court enters a
11 decision on Defendant's motion to dismiss;

12 WHEREAS, the Parties seek no other modifications to the schedule;

13 NOW, THEREFORE, pursuant to Civil L.R. 6-2, the Parties hereby stipulate and request that
14 the Court enter an order setting the following briefing and hearing schedule on Defendant's motion
15 to dismiss and accompanying request for judicial notice, if acceptable to the Court:

<u>Event</u>	<u>Proposed Date</u>	<u>Current Date</u>
16 Plaintiffs' opposition papers to be filed and served	March 18, 2016	March 4, 2016
17 Defendant's reply papers to be filed and served	April 6, 2016	March 14, 2016
18 Hearing	May 23, 2016, at 10:00 a.m.	April 4, 2016, at 10:00 a.m.

19
20 Additionally, pursuant to Civil L.R. 6-2, the Parties hereby stipulate and request that the
21 Court enter an order adjourning the Initial Case Management Conference and the deadline for the
22 Case Management Statement until after the Court enters a decision on Defendant's motion to
23 dismiss.

24 The revisions to the hearing date and briefing schedule will not affect any other aspect of the
25 schedule for the case.
26
27
28

1 Date: March 2, 2016

Respectfully submitted,

2 **REESE LLP**

3 /s/ Michael R. Reese

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23 Date: March 2, 2016

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9 *Counsel for Defendant General Mills, Inc.*

10 **ATTESTATION**

11 Pursuant to Civil L.R. 5-1(i)(3), I hereby attest that I have on file written records
12 documenting that I have obtained concurrence in the filing of this document from each of the other
13 signatories.

14 */s/ Michael R. Reese*

15 Michael R. Reese

16 **~~PROPOSED~~ ORDER**

17 Pursuant to the foregoing stipulation, it is so ordered.

18
19 DATE: 03/03/2016

20 

21 HONORABLE THELTON E. HENDERSON
22 UNITED STATES DISTRICT JUDGE