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7	individually and on behalf of a class of		
8	similarly situated individuals		
9	(Additional counsel on signature page)		
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10	Including Professional Corporations		
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15			
16	Attorneys for Defendants SEE'S CANDY SHOPS, INC. and		
17	SEE'S CANDIES INC.		
	UNITED STATES DISTRICT COURT		
18	NORTHERN DISTR	ICT OF CALIFORNIA	
19			
20			
21	AVI WEISS, individually and on behalf of a class of similarly situated individuals,	Case No. 16-cv-00661-EMC	
	,	CLASS ACTION	
22	Plaintiff,	STIPULATED REQUEST TO CONTINUE	
23	V.	FURTHER CASE MANAGEMENT CONFERENCE AND HEARING AND	
24	SEE'S CANDY SHOPS INC., SEE'S	BRIEFING DEADLINES ON	
25	CANDIES INC., and DOES 1 through 5,	DEFENDANTS' MOTION TO DISMISS	
	Defendants.	Assigned Hon. Edward M. Chen	
26		Complaint filed: February 9, 2016	
27		Trial Date: TBD	
28			

### TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

Pursuant to Northern District of California Local Rules 6-1, 6-2, and 7-12, plaintiff Avi Weiss and defendants See's Candies, Inc. and See's Candy Shops, Inc. (collectively "See's"), by and through their respective counsel, hereby respectfully stipulate and jointly request that the Court continue the further case management conference as well as the hearing and briefing deadlines on See's motion to dismiss as set out below.

## **RECITALS**

WHEREAS, on March 16, 2017, the Court continued: (1) the deadline for plaintiff to oppose See's motion to dismiss to fourteen days after the Court ruled on the parties' discovery dispute; (2) the deadline for See's to reply in support of its motion to dismiss to 28 days after the discovery ruling; and (3) the hearing on See's motion to dismiss from April 27, 2017 to May 25, 2017 at 1:30 p.m. Dkt. 45.

WHEREAS, the Court ruled on the parties discovery dispute on March 20, 2017. Dkt. 47.

WHEREAS, See's is gathering the information necessary to amend its responses pursuant to the Court's discovery ruling, but, as the Easter holiday is a tremendously busy time for See's, it may not be able to produce complete responses until May 3, 2017.

WHEREAS, plaintiff's deadline to oppose See's motion to dismiss is currently April 3, 2017 and See's deadline to reply is currently April 17, 2017.

WHEREAS, based on the current schedule plaintiff would be required to oppose See's motion to dismiss before See's produces amended responses.

WHEREAS, the parties have met and conferred and agreed to extend plaintiff's deadline to oppose See's motion to dismiss from April 3, 2017 until May 17, 2017 and See's deadline to reply in support of its motion to dismiss from April 17, 2017 until May 31, 2017.

WHEREAS, the proposed briefing schedule will require a continuance of the further case management conference and the hearing on See's motion to dismiss. Counsel for both parties are available to attend the hearing on June 22, 2017 at 1:30 p.m. and request that the Court continue the hearing and further case management conference to that date.

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Case No. 16-cv-00661-EMC

1	WHEREAS, prior modifications of time in this case occurred:	
2	• on February 29, 2016, when the parties agreed to extend See's deadline to respond	
3	the complaint to April 4, 2016 (Dkt. 15);	
4	• on May 20, 2016, when the Court granted the parties' request to continue the initial	
5	case management conference from June 2, 2016 until August 18, 2016 (Dkt. 26);	
6	• on February 22, 2017, when the Court granted the parties' request to continue the	
7	hearing on See's motion to dismiss from April 13, 2017 to April 27, 2017 (Dkt.	
8	41); and	
9	• on March 16, 2017, when the Court granted the parties' request to continue: (1)	
10	plaintiff's deadline to oppose See's motion to dismiss from March 16, 2017 until	
11	14 days after it resolved the parties discovery dispute; (2) See's deadline to reply in	
12	support of its motion to dismiss from March 30, 2017 to 28 days after the Court	
13	resolved the parties discovery dispute; and (3) the further case management	
14	conference and hearing on See's motion to dismiss from April 27, 2017 to May 25,	
15	2017.	
16	WHEREAS, the continuance requested herein will not otherwise affect the schedule for the	
17	case.	
18	WHEREAS, defendants' counsel Eric DiIulio attests that Suzanne Havens Beckman	
19	concurs in filing this stipulation.	
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#### 1 **STIPULATION** 2 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, by and 3 through their respective counsel, that plaintiff's deadline to oppose See's motion to dismiss is extended from April 3, 2017 until May 17, 2017, See's deadline to reply in support of its motion 4 5 to dismiss is extended from April 17, 2017 until May 31, 2017, and the further case management 6 conference and hearing on See's motion to dismiss be continued from May 25, 2017 to June 22, 7 2017 at 1:30 p.m. 8 IT IS SO STIPULATED. 9 10 Dated: March 30, 2017 Parisi & Havens, LLP 11 By /s/ Suzanne Havens Beckman 12 David C. Parisi Suzanne Havens Beckman 13 14 -and-15 Yitzchak H. Lieberman (SBN 277678) Grace E. Parasmo (pro hac vice) 16 gparasmo@parasmoliebermanlaw.com PARASMO LIEBERMAN LAW 17 7400 Hollywood Blvd, #505 18 Los Angeles, CA 90046 Telephone: (917) 657-6857 19 Facsimile: (877) 501-3346 Attorneys for Plaintiff 20 SHEPPARD MULLIN RICHTER & HAMPTON LLP Dated: March 30, 2017 21 22 By Neil A.F. Popović 23 Eric J. Dilulio 24 Attorneys for Defendants 25 26 27

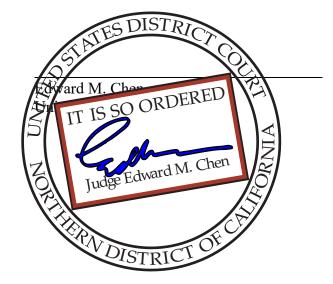
Case No. 16-cv-00661-EMC

28

# [PROPOSED] ORDER

# PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: <u>3/31</u>, 2017



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Case No. 16-cv-00661-EMC