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7 Attorneys for Plaintiff Avi Weiss,  
 individually and on behalf of a class of  
 8 similarly situated individuals  
 (*Additional counsel on signature page*)  
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16 Attorneys for Defendants  
 SEE'S CANDY SHOPS, INC. and  
 SEE'S CANDIES INC.  
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18 UNITED STATES DISTRICT COURT  
 19 NORTHERN DISTRICT OF CALIFORNIA

20 AVI WEISS, individually and on behalf of a  
 21 class of similarly situated individuals,

22 Plaintiff,

23 v.

24 SEE'S CANDY SHOPS INC., SEE'S  
 25 CANDIES INC., and DOES 1 through 5,

26 Defendants.  
 27

Case No. 16-cv-00661-EMC

CLASS ACTION

**STIPULATED REQUEST TO CONTINUE  
 FURTHER CASE MANAGEMENT  
 CONFERENCE AND HEARING AND  
 BRIEFING DEADLINES ON  
 DEFENDANTS' MOTION TO DISMISS**

Assigned Hon. Edward M. Chen

Complaint filed: February 9, 2016  
 Trial Date: TBD

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

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

7 **RECITALS**

8 WHEREAS, on March 16, 2017, the Court continued: (1) the deadline for plaintiff to  
9 oppose See's motion to dismiss to fourteen days after the Court ruled on the parties' discovery  
10 dispute; (2) the deadline for See's to reply in support of its motion to dismiss to 28 days after the  
11 discovery ruling; and (3) the hearing on See's motion to dismiss from April 27, 2017 to May 25,  
12 2017 at 1:30 p.m. Dkt. 45.

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

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

17 WHEREAS, plaintiff's deadline to oppose See's motion to dismiss is currently April 3,  
18 2017 and See's deadline to reply is currently April 17, 2017.

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

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

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

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**STIPULATION**

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, by and 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 to dismiss is extended from April 17, 2017 until May 31, 2017, and the further case management conference and hearing on See's motion to dismiss be continued from May 25, 2017 to June 22, 2017 at 1:30 p.m.

**IT IS SO STIPULATED.**

Dated: March 30, 2017

Parisi & Havens, LLP

By /s/ Suzanne Havens Beckman

David C. Parisi

Suzanne Havens Beckman

-and-

Yitzchak H. Lieberman (SBN 277678)

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*Attorneys for Plaintiff*

Dated: March 30, 2017

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By 

Neil A.F. Popović

Eric J. Dilulio

*Attorneys for Defendants*

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~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: 3/31, 2017

