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13 *Attorneys for Defendants*

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

16 WILLIAM RUSHING, Individually and on
 17 Behalf of all Others Similarly Situated,

18 Plaintiff,

19 v.

20 WILLIAMS-SONOMA, INC., a Delaware
 corporation, also d/b/a Williams-Sonoma and
 21 Williams-Sonoma Home; WILLIAMS-
 SONOMA DTC, INC., a California
 22 corporation; WILLIAMS-SONOMA
 ADVERTISING, INC., a California
 23 corporation; WILLIAMS-SONOMA STORES,
 INC., a California corporation; POTTERY
 24 BARN, INC., a California corporation;
 POTTERY BARN KIDS, INC., a California
 25 corporation, also d/b/a Pottery Barn Baby;
 POTTERY BARN TEEN, INC., a California
 26 corporation also d/b/a PB Teen and PB Dorm;
 WEST ELM, INC., a California corporation;
 27 and DOES 1-30,

28 Defendants.

Case No. 3:16-cv-01421-WHO

Assigned to the Hon. William H. Orrick

CLASS ACTION

**STIPULATED REQUEST FOR ORDER
 CONTINUING SEPTEMBER 13, 2016
 INITIAL CASE MANAGEMENT
 CONFERENCE**

Complaint Filed: January 29, 2016
 Action Removed: March 23, 2016
 TAC Filed: June 6, 2016
 Trial Date: None Set

1 Pursuant to Fed. R. Civ. P. 16(b)(4) and N.D. Cal. Local Rules 6-2, 7-12, and 16-2(e),
2 Plaintiff William Rushing (“Plaintiff”) and Defendants Williams-Sonoma, Inc., Williams-Sonoma
3 DTC, Inc., Williams-Sonoma Advertising, Inc., Williams-Sonoma Stores, Inc., Pottery Barn, Inc.,
4 Pottery Barn Kids, Inc., Pottery Barn Teen, Inc., and West Elm, Inc. (collectively “Defendants”),
5 by and through their respective counsel, stipulate as follows:

6 **RECITALS**

7 WHEREAS, on August 15, 2016, the Court issued an Order Granting in Part Motion to
8 Dismiss (“Order”) and directed Plaintiff to file an amended complaint within 30 days of the Order,
9 *i.e.*, by September 14, 2016;

10 WHEREAS, the Initial Case Management Conference is currently scheduled for
11 September 13, 2016 (Dkt. 35);

12 WHEREAS, Plaintiff and Defendants have conferred and agree that continuing the Initial
13 Case Management Conference until after Plaintiff has filed his amended complaint pursuant to the
14 Order and Defendants have responded will not, at this early stage, have a significant effect on the
15 overall schedule for this case, and would be in the parties’ best interests and in the interest of
16 judicial economy, as such a continuance would enable both the parties and the Court to focus
17 attention and resources on the issues that will proceed in the litigation.

18 WHEREAS, all previous time modifications in the case are as follows:

- 19 • on March 29, 2016, the parties stipulated to extend Defendants’ time to respond to
20 the First Amended Complaint from March 30, 2016 to April 20, 2016;
- 21 • on May 5, 2016, pursuant to stipulation of the parties, the Court continued the June
22 21, 2016 Case Management Conference to September 6, 2016;
- 23 • on June 23, 2016, the parties stipulated to extend Defendants’ time to respond to
24 the Third Amended Complaint from June 23, 2016 to June 27, 2016; and
- 25 • on August 4, 2016, pursuant to stipulation of the parties, the Court continued the
26 September 6, 2016 Case Management Conference to September 13, 2016.

27 WHEREAS, Eric DiIulio attests that Kathryn Honecker concurs in filing this Stipulated
28 Request For Order Continuing September 13, 2016 Initial Case Management Conference.

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THEREFORE, the parties hereby stipulate and request that the Court issue an order as follows:

- Plaintiff shall file his amended complaint on September 14, 2016;
- Defendants shall file a response on or before October 3, 2016;
 - If Defendants’ response is an answer, the Initial Case Management Conference shall be continued to November 1, 2016; and
 - If Defendants’ response is a motion to dismiss, the Initial Case Management Conference shall be continued to the first available date at least 30 days after the Court issues an order on Defendants’ motion.

IT IS SO STIPULATED.

Dated: August 17, 2016 ROSE LAW GROUP, PC

By /s/ Kathryn Honecker
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Lauren Nageotte (admitted *pro hac vice*)
Audra Petrolle (admitted *pro hac vice*)

-and-

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Dated: August 17, 2016 SHEPPARD MULLIN RICHTER & HAMPTON LLP

By /s/Eric J. DiJulio
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Eric J. DiJulio


Attorneys for Defendants

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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: August 23, 2016



The Hon. William H. Orrick
United States District Judge