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**Attorneys for Defendant Aon Hewitt  
Investment Consulting, Inc.**

19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA  
21 SAN FRANCISCO

22 MARIA KARLA TERRAZA, individually and  
on behalf of the SAFEWAY 401(k) Plan,

23 Plaintiff,

24 vs.

25 SAFEWAY INC., BENEFIT PLANS  
26 COMMITTEE SAFEWAY INC.,  
and DOES 1 to 100 inclusive,

27 Defendants.  
28

Case No. 3:16-cv-03994-JST

**JOINT STIPULATION TO CONTINUE  
CASE DEADLINES; ~~PROPOSED~~  
ORDER**

Assigned to Hon. Jon S. Tigar

1 Plaintiff, Maria Karla Terraza, and Defendants Safeway Inc. (“Safeway”), the Benefit Plans  
2 Committee Safeway Inc. n/k/a Albertsons Companies Retirement Benefit Plans Committee  
3 (“Benefit Plans Committee”), Peter J. Bocian, David F. Bond, Michael J. Boylan, Robert B.  
4 Dimond, Laura A. Donald, Dennis J. Dunne, Robert L. Edwards, Bradley S. Fox, Bernard L. Hardy,  
5 Russell M. Jackson, Peggy Jones, Suz-Ann Kirby, Robert Larson, Melissa C. Plaisance, Paul  
6 Rowan and Andrew J. Scoggin (the “Safeway Defendants”), as well as Defendant Aon Hewitt  
7 Investment Consulting, Inc. (“Aon” and, collectively with the Safeway Defendants, “Defendants”),  
8 through their counsel, hereby stipulate and agree that:

9 WHEREAS, Plaintiff filed a complaint against Safeway Inc. and the Benefits Plans  
10 Committee Safeway Inc. on July 14, 2016;

11 WHEREAS, Plaintiff filed an Amended Complaint on November 18, 2016 (Docket No. 37);

12 WHEREAS, Plaintiff filed a Second Amended Complaint on March 31, 2017 (Docket No.  
13 72);

14 WHEREAS, Aon filed a motion to dismiss the Second Amended Complaint on June 22,  
15 2017 (Docket No. 83);

16 WHEREAS, the Court entered an order granting in part and denying in part Aon’s motion  
17 on December 11, 2017 (Docket No. 109);

18 WHEREAS, the Parties have exchanged initial disclosures, engaged in written discovery,  
19 and are in the process of scheduling depositions;

20 WHEREAS, based on the initial disclosures and the deposition notice Plaintiff served on the  
21 Safeway Defendants, it is estimated that numerous depositions may be scheduled for mutually  
22 agreeable dates and times;

23 WHEREAS, additional written discovery remains to be completed, especially with respect to  
24 the large volume of electronic data Defendants have collected;

25 WHEREAS, although the Parties have been working diligently and cooperatively in the  
26 discovery process and in preparing this case for trial, the Parties believe that, given the number of  
27 Defendants and the scope of discovery, the current schedule does not provide adequate time to  
28 complete discovery and submit dispositive motions. The Parties therefore respectfully request that

1 the Court continue the case deadlines as detailed below;<sup>1</sup>

2 WHEREAS, the Parties have previously made one request to extend the deadlines for  
3 completing discovery and filing dispositive motions, and the pretrial and trial dates (Dkt. 108);

4 WHEREAS, the Parties do not propose any change in the trial schedule or the remainder of  
5 the pretrial schedule;

6 NOW, THEREFORE, the Parties, through their respective counsel, hereby stipulate, subject  
7 to the approval of the Court, to the following schedule:

8 April 27, 2018 – Deadline to complete fact discovery

9 May 11, 2018 – Deadline for expert disclosures

10 May 30, 2018 – Deadline for expert rebuttal

11 June 8, 2018 – Deadline to complete expert discovery

12 June 21, 2018 – Deadline to file dispositive motions

13 IT IS SO STIPULATED.

14 DATED: February 16, 2018

TRUCKER ♦ HUSS

15  
16 By: /s/R. Bradford Huss  
R. Bradford Huss  
Attorneys for Defendants  
SAFEWAY INC. and SAFEWAY BENEFIT  
PLANS COMMITTEE

17  
18 Dated: February 16, 2018

O'MELVENY & MYERS LLP

19  
20 By: /s/Randall W. Edwards  
Randall W. Edwards  
Attorneys for Defendant  
AON HEWITT INVESTMENT CONSULTING,  
INC.

21  
22 Dated: February 16, 2018

SHEPHERD, FINKELMAN, MILLER & SHAH, LLP

23  
24 By: /s/James E. Miller  
James E. Miller  
Attorneys for Plaintiff  
MARIA KARLA TERRAZA, individually and on  
behalf of the SAFEWAY 401(K) PLAN

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27 <sup>1</sup> Counsel for the Parties have also met and conferred with counsel for Plaintiff in the *Lorenz* matter,  
28 and anticipate submitting a stipulation in that case proposing an identical modification of the  
schedule in that case.

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I attest that my firm has obtained concurrence in the filing of this document from James E. Miller and Randall W. Edwards.

DATED: February 16, 2018

TRUCKER ♦ HUSS

By: /s/R. Bradford Huss  
R. Bradford Huss  
Attorneys for Defendants  
SAFEWAY INC. and BENEFIT PLANS  
COMMITTEE SAFEWAY INC.

**~~PROPOSED~~ ORDER**

Good cause exists for an order continuing the deadlines for completing fact and expert discovery, including submitting expert disclosures and rebuttals, and filing dispositive motions to the following dates:

- April 27, 2018 – Deadline to complete fact discovery
- May 11, 2018 – Deadline for expert disclosures
- May 30, 2018 – Deadline for expert rebuttal
- June 8, 2018 – Deadline to complete expert discovery
- June 21, 2018 – Deadline to file dispositive motions

DATED: February 20, 2018

  
\_\_\_\_\_  
Hon. Jon S. Tigar  
United States District