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6 *Attorneys for Plaintiff and the Plan*

7 [Additional Counsel Listed On Signature Page]

8 **IN THE UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10 MARIA KARLA TERRAZA,)
 11 Individually and On Behalf of the)
 SAFEWAY 401(K) PLAN,)
 12)
 Plaintiff,)

13 v.)

14 SAFEWAY INC., BENEFIT PLANS)
 15 COMMITTEE SAFEWAY INC. n/k/a)
 ALBERTSONS COMPANIES)
 16 RETIREMENT BENEFITS PLANS)
 COMMITTEE, PETER J. BOCIAN,)
 17 DAVID F. BOND, MICHAEL J.)
 BOYLAN, ROBERT B. DIMOND,)
 18 LAURA A. DONALD, DENNIS J.)
 DUNNE, ROBERT L. EDWARDS,)
 19 BRADLEY S. FOX, BERNARD L.)
 HARDY, RUSSELL M. JACKSON,)
 20 PEGGY JONES, SUZ-ANN KIRBY,)
 ROBERT LARSON, MELISSA C.)
 21 PLAISANCE, PAUL ROWAN,)
 ANDREW SCOGGIN, and AON)
 22 HEWITT INVESTMENT)
 CONSULTING, INC.,)
 23)
 Defendants.)

CASE NO. 3:16-cv-03994-JST

STIPULATION AND
~~**PROPOSED**~~ **ORDER FOR**
EXTENSION OF TIME FOR
PLAINTIFF TO RESPOND TO
DEFENDANT AON HEWITT
INVESTMENT CONSULTING, INC.’S
MOTION TO DISMISS SECOND
AMENDED COMPLAINT AND TO
CONTINUE HEARING DATE

24 _____)
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 STIPULATION AND [PROPOSED] ORDER RE RESPONDING
 TO MOTION TO DISMISS SECOND AMENDED COMPLAINT
 Case No: 3:16-cv-03994 JST

1 Plaintiff, Maria Karla Terraza (“Plaintiff”), individually and on behalf of the Safeway
2 401(k) Plan, and Defendant, Aon Hewitt Investment Consulting, Inc. (“Aon”), by and through
3 their respective counsel, hereby consent and stipulate as follows:

4 WHEREAS, Plaintiff filed the initial Complaint on July 14, 2016 [Dkt. No. 1];

5 WHEREAS, Plaintiff filed the operative Second Amended Complaint (“SAC”) on March
6 31, 2017 [Dkt. No. 72], adding Aon as a defendant;

7 WHEREAS, pursuant to the parties’ stipulation on June 2, 2017 [Dkt No. 80], the parties
8 agreed to extend the date for Aon’s response to the SAC to June 22, 2017;

9 WHEREAS, Aon filed its Motion to Dismiss Second Amended Complaint on June 22,
10 2017 [Dkt. No. 83] (“Motion to Dismiss”), with a hearing date noticed for August 24, 2017, at
11 2:00 p.m. before the Honorable Jon S. Tigar;

12 WHEREAS, Plaintiff’s response to Aon’s Motion to Dismiss is currently due July 6, 2017
13 and Aon’s reply is due July 13, 2017;

14 WHEREAS, the parties have agreed on the following briefing schedule for Aon’s Motion
15 to Dismiss and to request the Court to continue the hearing date from August 24, 2017 to
16 September 7, 2017 due to a pre-existing conflict on the part of Plaintiff’s counsel;

17 IT IS THEREFORE STIPULATED AND AGREED AS FOLLOWS:

- 18 1. Plaintiff shall file her opposition to Aon’s Motion to Dismiss by August 3, 2017;
- 19 2. Aon shall file its reply in support of its Motion to Dismiss by August 24, 2017;
- 20 3. The hearing date on the Motion to Dismiss shall be continued to ~~September 7,~~
21 2017. September 12,

22
23 In accordance with Civil L.R. 5-1(i), the filer of this document hereby attests that
24 concurrence in the filing of this document has been obtained from the other signatory hereto.
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28 **IT IS SO STIPULATED:**

1
2 Dated: July 5, 2017

Respectfully submitted,

3 SHEPHERD, FINKELMAN, MILLER
4 & SHAH, LLP

5 /s/Kolin C. Tang
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7 Kolin C. Tang
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Attorneys for Plaintiff and the Plan

Dated: July 5, 2017

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

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 5, 2017


Jon S. Tigar,