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SAFEWAY INC. and SAFEWAY BENEFIT PLANS  
13 COMMITTEE

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO

18 DENNIS M. LORENZ, Individually and On  
Behalf of All Others Similarly Situated,

19 Plaintiff,

20 vs.

21 SAFEWAY INC., BENEFIT PLANS  
22 COMMITTEE SAFEWAY INC.,  
23 and DOES 1 to 100 inclusive,

24 Defendants.

Case No. 3:16-cv-04903-JST

**STIPULATION TO EXTEND TIME FOR  
THE SAFEWAY DEFENDANTS TO  
RESPOND TO PLAINTIFF'S SECOND  
AMENDED COMPLAINT**

1 Pursuant to Federal Rule of Civil Procedure 12, and Local Rule 6-1(a), Defendants  
2 SAFEWAY INC. and SAFEWAY BENEFIT PLANS COMMITTEE (collectively, the “Safeway  
3 Defendants”) and Plaintiff DENNIS M. LORENZ (“Plaintiff”) hereby stipulate, by and through  
4 their respective counsel, to extend the time by which the Safeway Defendants have to respond to  
5 Plaintiff’s second amended complaint (“SAC”) and, in support thereof, state as follows:

6 WHEREAS, Plaintiff’s SAC was filed on November 21, 2016 (Docket No. 31);

7 WHEREAS, the Safeway Defendants filed a motion to dismiss Plaintiff’s SAC on December  
8 15, 2017 (Docket No. 38);

9 WHEREAS, the Court granted in part and denied in part the Safeway Defendants’ motion to  
10 dismiss Plaintiff’s SAC by order dated March 13, 2017 (Docket No. 58);

11 WHEREAS, Plaintiff’s counsel informed the Court and the Safeway Defendants at the  
12 March 15, 2017 scheduling conference that Plaintiff may seek leave to further amend his SAC to  
13 drop his class action allegations in light of the Court’s order dismissing Plaintiff’s prohibited  
14 transaction claims against the Safeway Defendants and Defendant Great-West Life Financial RPS  
15 LLC;

16 WHEREAS, at the March 15, 2017 case management conference, the Court set a deadline  
17 for Plaintiff to elect whether the case will proceed as a class action on March 31, 2017 (Docket No.  
18 67);

19 WHEREAS, pursuant to Federal Rule of Civil Procedure 12(a)(4)(A), Defendants’ deadline  
20 to respond to Plaintiff’s SAC is currently March 27, 2017;

21 WHEREAS, Defendants’ response to Plaintiff’s SAC will necessarily be affected should  
22 Plaintiff further amend his SAC to drop his class action allegations;

23 WHEREAS, this stipulation regarding an extension for Defendants to respond to Plaintiff’s  
24 SAC will not alter any dates set by the Court;

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28 ///

1 NOW, THEREFORE, the Plaintiff and the Safeway Defendants hereby stipulate and agree  
2 as follows:

- 3 1. The deadline for the Safeway Defendants to respond to Plaintiff’s SAC, or to a  
4 further amended complaint filed by Plaintiff in this action prior to the March 31,  
5 2017 cut-off set by the Court in its case management order, shall be extended to:  
6 April 18, 2017.

7  
8 IT IS SO STIPULATED.

9  
10 DATED: March 16, 2017

TRUCKER ♦ HUSS

11 By: /s/ R. Bradford Huss  
12 R. Bradford Huss  
13 Attorneys for Defendants  
14 SAFEWAY INC. and SAFEWAY BENEFIT  
15 PLANS COMMITTEE

16  
17 DATED: March 16, 2017

SCHNEIDER WALLACE COTTRELL KONECKY  
WOTKYNs, LLP

18 By: /s/ Jason H. Kim  
19 Jason H. Kim  
20 Attorneys for Plaintiff  
21 DENNIS M. LORENZ, Individually and On  
22 Behalf of All Others Similarly Situated

23 I attest that my firm has obtained Jason Kim’s concurrence in the filing of this document.

24 DATED: March 16, 2017

TRUCKER ♦ HUSS

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

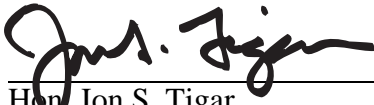
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**[PROPOSED] ORDER**

The deadline for the Safeway Defendants to respond to Plaintiff's SAC, or to a further amended complaint filed by Plaintiff in this action prior to the March 31, 2017 cut-off set by the Court in its case management order, shall be extended to: April 18, 2017.

**IT IS SO ORDERED.**

DATED: March 17, 2017

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