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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

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

Plaintiff,

vs.

SAFEWAY INC., SAFEWAY BENEFIT
PLANS COMMITTEE, and DOES 1 through 50,
inclusive,

Defendants.

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Attorneys for Defendants
SAFEWAY INC. and SAFEWAY BENEFIT
PLANS COMMITTEE

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

**JOINT STIPULATION TO CONTINUE
DEADLINE TO FILE DISPOSITIVE
MOTIONS; [PROPOSED] ORDER**

Assigned to Hon. Jon S. Tigar

1 Plaintiff, Dennis M. Lorenz (“Plaintiff”), and Defendants, Safeway Inc. (“Safeway”) and
2 Safeway Benefit Plans Committee (“Benefit Plans Committee”), collectively (“Defendants”),
3 through their counsel, hereby stipulate and agree that:

4 WHEREAS, Plaintiff filed a complaint against Defendants and Great-West Financial RPS
5 LLC (“Great-West”) on August 25, 2016;

6 WHEREAS, Plaintiff filed an Amended Complaint on September 16, 2016 (Docket No. 7);

7 WHEREAS, Plaintiff filed a Second Amended Complaint on November 21, 2016 (Docket
8 No. 31);

9 WHEREAS, the Court dismissed the claims against Great-West with prejudice and
10 consequently removed Great-West as a defendant in this action on March 13, 2017 (Docket No. 58);

11 WHEREAS, Plaintiff filed a Third Amended Complaint on March 31, 2017 (Docket No.
12 66);

13 WHEREAS, after the Court found this matter to be related to the case of Maria Karla
14 Terraza v. Safeway Inc., et al. (No. 16-cv-03994-JST) (see Docket No. 26), the Parties in this matter
15 and Terraza streamlined their discovery process;

16 WHEREAS, the Parties Stipulated to Continue Case Deadlines, and this Court has entered
17 orders continuing case deadlines on December 18, 2017 (Dkt. 79), February 21, 2018 (Dkt. 84), and
18 April 27, 2018 (Dkt. 92);

19 WHEREAS, the Parties have exchanged initial disclosures, engaged in written discovery and
20 exchange of documents, and taken 21 fact witness depositions;

21 WHEREAS, the Parties are in the expert discovery phase of this litigation and in the process
22 of preparing and taking depositions of seven expert witnesses on or before the current deadline to
23 complete expert witness on June 20, 2018;

24 WHEREAS, although the Parties have been working diligently and cooperatively in the
25 discovery process and in preparing this case for trial, the Parties believe that their most recent
26 stipulation (Dkt. 92), which the Court entered prior to the deadline for expert disclosures, does not
27 provide adequate time to complete expert discovery and file a dispositive motion. The current
28 schedule only provides seven days between the deadline to complete expert discovery and the

1 deadline to file a dispositive motion. The Parties therefore respectfully request that the Court
2 continue the deadline for filing dispositive motions from June 28, 2018 to July 6, 2018 with the
3 opposition due on July 20, 2018, reply due on July 26, 2018, and the hearing on August 9, 2018;

4 WHEREAS, the Parties have previously made three requests to extend the deadlines for
5 completing discovery and filing dispositive motions, and the pretrial and trial dates (Dkts. 79, 84,
6 and 92);

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

9 NOW, THEREFORE, the Parties, through their respective counsel, hereby stipulate, subject
10 to the approval of the Court, to continue the deadline to file dispositive motions from June 28, 2018
11 to July 6, 2018 with the opposition due on July 20, 2018, reply due on July 26, 2018, and the
12 hearing on August 9, 2018.

13 IT IS SO STIPULATED.

14 DATED: June 19, 2018

TRUCKER ♦ HUSS

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

18 DATED: June 19, 2018

SCHNEIDER WALLACE COTTRELL
KONECKY WOTKYNS, LLP

20 By: /s/Jason H. Kim
21 Jason H. Kim
22 Attorneys for Plaintiff

23 I attest that my firm has obtained concurrence in the filing of this document from Jason H.
24 Kim.

24 DATED: June 19, 2018

25 TRUCKER ♦ HUSS

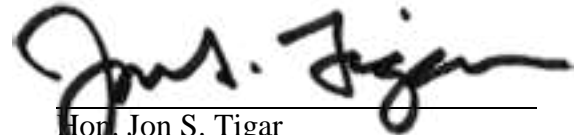
26 By: /s/R. Bradford Huss
27 R. Bradford Huss
28 Attorneys for Defendants
SAFEWAY INC. and BENEFIT PLANS
COMMITTEE SAFEWAY INC.

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[PROPOSED] ORDER

Good cause exists for an order continuing the deadlines to file dispositive motions from June 28, 2018 to July 6, 2018 with the opposition due on July 20, 2018, reply due on July 26, 2018, and the hearing on August 16, 2018, if the Court determines that oral argument is appropriate.

DATED: June 22, 2018



Hon. Jon S. Tigar
United States District