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PREMIER NUTRITION COMPANY, LLC

13 [ADDITIONAL COUNSEL ON SIGNATURE PAGE]

14
15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 MARY BETH MONTERA, individually and
on behalf of all others similarly situated,
18
19 Plaintiff,
20 v.
21 PREMIER NUTRITION CORPORATION,
22 Defendant.

Case No. 3:16-cv-06980-RS
Hon. Richard Seeborg

**JOINT STIPULATION AND
ORDER REGARDING BRIEFING AND
HEARING SCHEDULE ON
PLAINTIFF'S MOTION FOR
ATTORNEYS' FEES AND BILL OF
COSTS**

CLASS ACTION

Judge: Hon. Richard Seeborg
Courtroom: 3, 17th Floor

Complaint Filed: December 5, 2016
Trial Date: May 23, 2022

1 Pursuant to Local Rule 6-1 and 6-2, Plaintiff Mary Beth Montera and Defendant Premier
2 Nutrition Company, LLC (“Premier”), through their counsel, enter into this stipulation regarding
3 the briefing schedule on Plaintiff’s motion for attorneys’ fees and bill of costs as follows:

4 WHEREAS, on August 12, 2022, the Court entered judgment and ordered Plaintiff to file
5 any motion for attorneys’ fees no later than 14 days after entry of judgment;

6 WHEREAS, on August 26, 2022, Plaintiff filed its motion for attorneys’ fees (ECF No.
7 296) and bill of costs (ECF No. 295);

8 WHEREAS, the hearing on Plaintiff’s motion for attorneys’ fees is scheduled for October
9 6, 2022;

10 WHEREAS, the Parties desire additional time to brief their respective positions on the
11 pending motion for attorneys’ fees and bill of costs;

12 ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED, subject to the
13 approval of the Court, that:

14 1. The deadline for Premier to oppose Plaintiff’s motion for attorneys’ fees and
15 object to Plaintiff’s bill of costs shall be September 16, 2022;

16 2. The deadline for Plaintiff to file its reply and respond to any objections shall be
17 September 30, 2022;

18 3. The hearing on Plaintiff’s motion for attorneys’ fees and bill of costs shall be
19 October 20, 2022, or as soon thereafter as the Court is available.

20
21 Dated: September 6, 2022

VENABLE LLP

22 By: /s/ Steven E. Swaney
23 Steven E. Swaney

24 MORRISON & FOERSTER LLP
25 Jessica L. Grant

26 Attorneys for Defendant
27 PREMIER NUTRITION COMPANY, LLC
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Dated: September 6, 2022

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By: /s/ Thomas J. O'Reardon
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Attorneys for Plaintiff
Mary Beth Montero

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ORDER

Pursuant to the above Joint Stipulation and Proposed Order Regarding Briefing and Hearing Schedule on Plaintiff’s Motion for Attorneys’ Fees and Bill of Costs, IT IS HEREBY ORDERED that the Court finds that good cause exists for the entry of this Order.

1. The deadline for Premier to oppose Plaintiff’s motion for attorneys’ fees and object to Plaintiff’s bill of costs shall be September 16, 2022;
2. The deadline for Plaintiff to file its reply and respond to any objections shall be September 30, 2022;
3. The hearing on Plaintiff’s motion for attorneys’ fees and bill of costs shall be October 20, 2022 at 1:30 pm.

IT IS SO ORDERED.

Dated: 9/7/2022



Hon. Richard Seeborg
United States District Court Judge