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9 Attorneys for Plaintiffs

10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)**

12 MIRA BLANCHARD <i>et al</i> ,)	Case No. 3:17-cv-01551-MMC
)	
13 Plaintiffs,)	STIPULATION AND [PROPOSED]
)	ORDER CONTINUING PLAINTIFFS'
14 v.)	DEADLINE TO RESPOND TO FLUENT'S
)	ANSWER
15 FLUENT INC. <i>et al</i> ,)	
)	
16 Defendants.)	

17 **BACKGROUND / BRIEF PROCEDURAL HISTORY**

18 On September 16, 2016, Plaintiffs Mira Blanchard *et al* filed – but did not serve – a
 19 lawsuit against Fluent Inc., Reward Zone USA LLC, RewardsFlow LLC, American Prize Center
 20 LLC, and Mohit Singla (collectively “Fluent”) and other Defendants in the Superior Court of
 21 California, County of San Francisco for violations of Cal. Business & Professions Code
 22 § 17529.5. On December 20, 2016, Plaintiffs filed a First Amendment Complaint and served
 23 Fluent thereafter.
 24

1 On March 22, 2017, Fluent timely removed the Action to the U.S. District Court for the
2 Northern District of California (Docket #1). On March 29, 2017, Fluent filed an Answer
3 (Docket #15).

4 Also on March 29, 2017, Defendant Saughtware Inc. filed a Motion to Dismiss the FAC
5 (Docket #14).

6 On April 3, 2017, Plaintiffs filed a Motion to Remand the Action on substantive and
7 procedural grounds (Docket #16). On April 4, 2017, this Court issued its own Order Directing
8 Fluent to Show Cause Why Action Should Not Be Remanded [and] Continuing Hearing on
9 Saughtware Inc.'s Motion to Dismiss (Docket #18).

10 On April 3, 2017, in light of the Court's signaling that it did not want to consider
11 Saughtware's Motion to Dismiss until first resolving the question of federal jurisdiction, and in
12 the interest of reducing the burden on all parties and the Court, Plaintiffs asked Fluent to agree to
13 continue their deadline to file a Rule 12(e) Motion for a More Definite Statement and/or Rule
14 12(f) Motion to Strike as to Fluent's Answer until 21 days after this Court rules on federal
15 jurisdiction. On April 10, 2017, Fluent agreed to Plaintiffs' request.

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1 **STIPULATION**

2 Plaintiffs' deadline to file a Rule 12(e) and/or Rule 12(f) Motion as to Fluent's Answer is
3 continued to 21 days after this Court rules on federal jurisdiction (if this Court finds federal
4 jurisdiction).

5 THE LAW OFFICES OF DANIEL BALSAM

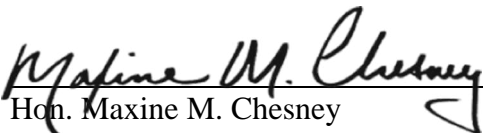
6 /s/ Daniel L. Balsam
7 Daniel L. Balsam
8 Attorney for Plaintiffs

9 GORDON & REES LLP

10 /s/ Andrew D. Castricone
11 Andrew D. Castricone
12 Attorney for Fluent Defendants

13 THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED.

14 DATED: April 11, 2017

15 
16 Hon. Maxine M. Chesney
17 U.S. District Court Judge