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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 TODD GREENBERG, On Behalf of Himself
and All Others Similarly Situated,

15 Plaintiff,

16 v.

17 TARGET CORPORATION, a Minnesota
Corporation, INTERNATIONAL VITAMIN
18 CORPORATION, a New Jersey Corporation,
and PERRIGO COMPANY OF SOUTH
19 CAROLINA, INC.,

20 Defendants.
21
22
23

Case No.: 17-cv-01862-LB-RS

CLASS ACTION

JOINT STIPULATION AND
~~**[PROPOSED]**~~ **ORDER REGARDING**
RESCHEDULING HEARING ON
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT OR,
ALTERNATIVELY, PARTIAL
SUMMARY JUDGMENT
[Pursuant to LR 6-2]

Original Hearing Date: August 8, 2019
Proposed Hearing Date: August 15, 2019

Judge: Hon. Richard Seeborg

Complaint Filed: April 4, 2017
First Am. Comp. Filed: May 4, 2017
Second Am. Compl. Filed: April 19, 2018
Trial Date: None set

1 Pursuant to L.R. 6-2, Plaintiff Todd Greenberg and Defendants Target Corporation, International
2 Vitamin Corporation, and Perrigo Company of South Carolina, Inc. (collectively, the “Parties”), hereby
3 STIPULATE AND REQUEST AS FOLLOWS:

4 WHEREAS, Plaintiff filed his Motion for Class Certification on January 31, 2019 (D.E. 86);

5 WHEREAS, on March 19, 2019, the Court rescheduled the hearing on Plaintiff’s Motion for
6 Class Certification from July 18, 2019 to August 15, 2019;

7 WHEREAS, on April 3, 2019, the Court continued the hearing on Plaintiff’s Motion for Class
8 Certification from August 15, 2019 to August 22, 2019 at 1:30 p.m.;

9 WHEREAS, Defendants filed a Corrected Motion for Summary Judgment Or, Alternatively,
10 Partial Summary Judgment (“MSJ”) on July 2, 2019, with a noticed hearing date of August 8, 2019 (D.E.
11 100);

12 WHEREAS, Plaintiff’s counsel met and conferred with defense regarding previously scheduled
13 conflicts that Plaintiff’s counsel have with the August 8, 2019 hearing date. In order to accommodate
14 Plaintiff’s counsel, defense agreed to extend the hearing date for the MSJ from August 8, 2019 to August
15 22, 2019. The Parties further agreed that the deadline for Defendants’ reply brief in support of summary
16 judgment be due on August 6, 2019 (instead of July 23, 2019 as currently scheduled);

17 WHEREAS, the Parties further believe that it is in the interests of both the Parties and the Court,
18 and furthers the interests of judicial efficiency, to reschedule the hearing on Defendants’ MSJ from
19 August 8, 2019 to August 22, 2019 so that it may be heard at the same time as Plaintiff’s Motion for
20 Class Certification;

21 WHEREAS, the parties have previously stipulated to extend the time Corporation to respond to
22 Plaintiff’s Complaint (D.E. 15), First Amended Complaint (D.E. 18), and Second Amended Complaint
23 (D.E. 61); to allow Plaintiff to file a Second Amended Complaint and Corrected Second Amended
24 Complaint (D.E. Nos. 56 and 76); to continue the case management conference (D.E. Nos. 19 and 31);
25 to reschedule the hearing on Defendant Target Corporation’s Motion to Dismiss (D.E. 29); and to modify
26 the class certification briefing schedule (D.E. Nos. 56, 69, 82, 84, and 87); and

27 WHEREAS, the requested modification will not affect the class certification briefing schedule
28 or have any other significant effect on the schedule of the case.

1 NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, THE PARTIES
2 HEREBY STIPULATE AND REQUEST THAT Defendants' reply brief in support of their MSJ be due
3 on August 6, 2019 and the hearing on Defendants' MSJ be rescheduled from August 8, 2019 to August
4 22, 2019 at 1:30 p.m.

5 IT IS SO STIPULATED AND AGREED.

6 DATED: July 17, 2019

BONNETT, FAIRBOURN, FRIEDMAN & BALINT,
7 P.C.

8
9 By: /s/ Patricia N. Syverson

10 Patricia N. Syverson
11 Manfred P. Muecke
12 Attorneys for Plaintiff Todd Greenberg

13 DATED: July 17, 2019

CALL & JENSEN

14 By: /s/ Matthew R. Orr

15 Matthew R. Orr
16 Attorneys for Defendants Target Corporation,
17 International Vitamin Corporation, and Perrigo
18 Company of South Carolina, Inc.

19 **~~PROPOSED~~ ORDER**

20 PURSUANT TO STIPULATION, IT IS SO ORDERED that Defendants' reply brief in support
21 of their Motion for Summary Judgment or, Alternatively, Partial Summary Judgment is due on August
22 6, 2019 and the hearing on Defendants' Motion for Summary Judgment or, Alternatively, Partial
23 Summary Judgment is rescheduled from August 8, 2019 to August 22, 2019 at 1:30 p.m.

24 Date: 7/18/19



25 Hon. Richard Seeborg
26 United States District Judge