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UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

CRYSTAL KAO, individually and on behalf of herself and all others similarly situated; and

NINA BARWICK, individually and on behalf of herself and all others similarly situated,

Plaintiffs,

vs.

ABBOTT LABORATORIES INC., an Illinois corporation d/b/a Abbott Nutrition,

Defendants.

Case Number: 3:17-CV-02790-JST

**STIPULATION AND ~~PROPOSED~~ ORDER
 MODIFYING BRIEFING SCHEDULE AND
 EXTENDING HEARING DATE FOR
 DEFENDANT ABBOTT LABORATORIES,
 INC.'S MOTION TO DISMISS, AND JOINT
 REQUEST TO CHANGE DATE OF CASE
 MANAGEMENT CONFERENCE**

Judge: Hon. Jon S. Tigar

1 Pursuant to Northern District of California Local Rule 6-2(a), the parties, through their
2 undersigned counsel, hereby stipulate and respectfully request that the Court modify the briefing
3 schedule for Defendant Abbott Laboratories, Inc.'s ("Defendant") Motion to Dismiss ("Motion"), extend
4 the hearing date for the Motion to September 21, 2017, and change the date of the Initial Case
5 Management Conference to September 20, 2017. The parties declare in support of this request:

6 WHEREAS, Plaintiffs Crystal Kao and Nina Barwick ("Plaintiffs") filed their Class Action
7 Complaint ("Complaint") (Dkt. 1) on May 15, 2017;

8 WHEREAS, on May 17, 2017, Magistrate Judge Joseph C. Spero entered an Order Setting Initial
9 Case Management Conference and ADR Deadlines (Dkt. 5), and scheduled the Initial Case Management
10 Conference on August 18, 2017;

11 WHEREAS, on May 19, 2017, Defendant Abbott Laboratories, Inc. ("Defendant") executed a
12 waiver of service of summons in this action, which established a deadline of July 17, 2017 for Defendant
13 to file and serve an answer or a motion under Rule 12;

14 WHEREAS, on May 31, 2017, this case was reassigned to this Court;

15 WHEREAS, on June 1, 2017, this Court entered an order scheduling the Initial Case Management
16 Conference on August 23, 2017;

17 WHEREAS, on July 17, 2017, Defendant filed a Motion to Dismiss ("Motion") the Complaint,
18 and included a hearing date of August 24, 2017 in the Motion;

19 WHEREAS, on July 20, 2017, this Court entered an order continuing the hearing date for the
20 Motion to September 12, 2017;

21 WHEREAS, pursuant to Northern District of California Local Rule 7-3, the current deadline for
22 Plaintiffs to file and serve an opposition to the Motion is July 31, 2017, and the current deadline for
23 Defendant to file and serve a reply in support of the Motion is August 7, 2017;

1 WHEREAS, the parties have stipulated to modify the briefing schedule and extend the hearing
2 date for the Motion as follows:

3 August 10, 2017 – Deadline for Plaintiffs to file and serve an opposition to the Motion,

4 August 22, 2017 – Deadline for Defendant to file and serve a reply in support of the Motion,

5 September 21, 2017 – Hearing date for the Motion;

6 WHEREAS, the parties request that the Initial Case Management Conference be continued to
7 September 20, 2017 in the interests of efficiency for both the parties and the Court, and to accommodate
8 counsel located outside of California.
9

10 IT IS HEREBY STIPULATED AND AGREED, subject to this Court’s approval, by and between
11 the undersigned counsel, on behalf of the parties, as follows:

12 Plaintiffs’ deadline to file and serve an opposition to the Motion is August 10, 2017, and
13 Defendant’s deadline to file and serve a reply in support of the Motion is August 22, 2017. The hearing
14 date for the Motion, which is currently scheduled on September 12, 2017, is continued to September 21,
15 2017. The Initial Case Management Conference, which is currently scheduled on August 23, 2017, is
16 continued to September 20, 2017.
17

18 Dated: July 28, 2017

BRANSTETTER, STRANCH & JENNINGS, PLLC

19 By: /s/ Gerard Stranch
20 Gerard Stranch

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30 *Abbott Laboratories, Inc.*

1
2 **[PROPOSED] ORDER**

3 Good cause appearing therefore, and the parties having stipulated to the same, the parties'
4 stipulation is hereby APPROVED. Plaintiffs' deadline to file and serve an opposition to the Motion is
5 August 10, 2017, and Defendant's deadline to file and serve a reply in support of the Motion is August
6 22, 2017. The hearing date for the Motion, which is currently scheduled on September 12, 2017, is
7 continued to September 21, 2017. The Initial Case Management Conference, which is currently
8 scheduled on August 23, 2017, is continued to ~~September 20, 2017.~~

September 21, 2017 at 2 p.m. The parties shall file a Joint
Case Management Statement by September 14, 2017.

9
10 **IT IS SO ORDERED.**

11
12 Dated: July 31, 2017

