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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14 150 SPEAR STREET
15 ASSOCIATES, L.P.,

16 Plaintiff,

17 v.

18 VWR INTERNATIONAL, LLC;
19 UNIVAR USA INC.,

20 Defendants.

CASE NO. 3:17-cv-03246-JST

**STIPULATION TO EXTEND TIME
TO RESPOND TO PLAINTIFF'S
COMPLAINT; AND [proposed]
ORDER**

Judge: Hon. Jon S. Tigar, District Court
Judge

21 Plaintiff, 150 SPEAR STREET ASSOCIATES, L.P. ("Plaintiff" or "150
22 Spear"), Defendant VWR INTERNATIONAL, LLC ("VWR"), and Defendant
23 UNIVAR USA INC. ("Univar"), collectively, the "Parties," by and through their
24 undersigned counsel, hereby stipulate and agree, pursuant to Local Rules 6-1 and 6-
25 2, that Defendants' time to Respond to Plaintiff's "Complaint For Breach of
26 Contract, Breach of the Implied Covenant of Good Faith, Waste, Nuisance,
27 Trespass, Negligence, Fraud, Intentional Interference with Prospective Economic
28 Relations, and Indemnity" ("Complaint") be continued for 30 days from the date
when such response is otherwise due to be filed. In support of the instant
stipulation, the Parties state as follows:

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1 WHEREAS, on June 6, 2017, Plaintiff filed the Complaint in this Court (Dkt.
2 No. 1);

3 WHEREAS, the Summons and Complaint were personally served on Univar
4 on June 19, 2017;

5 WHEREAS, the Summons and Complaint were personally served on VWR
6 on June 19, 2017;

7 WHEREAS, the Defendants' Response to Plaintiff's Complaint is currently
8 due on July 9, 2017;

9 WHEREAS, the Parties have conferred and agreed to an extension of the
10 time for Defendants to file their Response to Plaintiff's Complaint until August 7,
11 2017;

12 WHEREAS, Local Rule 6-1 permits the Parties to stipulate in writing
13 without a court order "to enlarge or shorten the time in matters not required to be
14 filed or lodged with the Court, provided the change will not alter the date of any
15 event or deadline already fixed by Court order." Local Rule 6-1(a);

16 WHEREAS, the Parties are not aware of any date fixed by Court order that
17 will be altered by the Parties' stipulated request, absent the Court's execution of this
18 [proposed] Order;

19 WHEREAS, the requested extension will not otherwise alter the schedule of
20 this case; and

21 WHEREAS, this Stipulation is made in good faith and not for the purpose of
22 delay.

23 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED,**
24 by and between the Parties, through their undersigned counsel of record, that the
25 last day for Univar and VWR to Respond to Plaintiff's Complaint shall be August 7,
26 2017.

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Dated: June 29, 2017

DRINKER BIDDLE & REATH LLP

By: /s/ Adam J. Thurston
ADAM J. THURSTON
Attorneys for Defendant
VWR INTERNATIONAL, LLC

Dated: June 29, 2017

ROPERS, MAJESKI, KOHN &
BENTLEY

By: /s/ Kathleen Strickland
KATHLEEN STRICKLAND
STEPHAN CHOO
Attorneys for Defendant
VWR INTERNATIONAL, LLC

Dated: June 29, 2017

NIXON PEABODY LLP

By: /s/ Jennifer Kuenster
JENNIFER KUENSTER
ANTHONY BARRON
Attorneys for Defendant
UNIVAR USA INC.

Dated: June 29, 2017

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PITTMAN LLP

By: /s/ Philip S. Warden
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Attorneys for Plaintiff
150 SPEAR STREET
ASSOCIATES, L.P.

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, N. Kathleen Strickland, am the ECF user whose identification and password are being used to file the foregoing Stipulation to Extend Time to Respond to Plaintiff's Complaint and [proposed] Order. I hereby attest that the above-referenced signatories to this Stipulation to Extend Time to Respond to Plaintiff's Complaint and [proposed] Order have concurred in this filing.

Dated: June 28, 2017

By: /s/ N. Kathleen Strickland
N. KATHLEEN STRICKLAND

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PURSUANT TO STIPULATION, IT IS SO ORDERED

The Court, having reviewed the Stipulation of the Parties and finding good cause, hereby issues an Order as follows:

1. The deadline for Univar and VWR to Respond to Plaintiff's Complaint shall be continued from July 9, 2017 to August 7, 2017.

IT IS SO ORDERED.

Date: June 30, 2017



HON. JON. S. TIGAR
UNITED STATES DISTRICT JUDGE