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21 DR PEPPER/SEVEN UP, INC.

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

17 SHANA BECERRA,

18 Plaintiff,

19 v.

20 DR PEPPER/SEVEN UP, INC.,

21 Defendant.

) Case No. 17-cv-05921-WHO

) Judge: Hon. William H. Orrick

) **STIPULATION AND ORDER TO**
) **CONTINUE HEARING DATES AND**
) **CASE MANAGEMENT**
) **CONFERENCE**

) Action Filed: October 16, 2017

1 Plaintiff Shana Becerra (“Plaintiff”) and Defendant Dr Pepper/Seven Up, Inc.
2 (“Defendant”) (collectively, “the Parties”) respectfully file this stipulation to continue the
3 hearings on Defendant’s Motion to Transfer and Motion to Dismiss and the Parties’ Case
4 Management Conference, and hereby agree as follows:

5 WHEREAS, Plaintiff filed this action on October 16, 2017;

6 WHEREAS, Defendant filed a Motion to Transfer (Doc. 30), which is currently
7 scheduled for hearing on February 7, 2018;

8 WHEREAS, Defendant filed a Motion to Dismiss the Second Amended Complaint
9 (Doc. 35), which is currently scheduled for hearing on February 21, 2018;

10 WHEREAS, the Parties have met and conferred and agree that the hearings should occur
11 on the same date;

12 WHEREAS, counsel for Defendant is not available on available hearing dates until
13 March 28, 2018;

14 WHEREAS, the Parties have met and conferred and agree to move the hearing on the
15 Motion to Transfer and Motion to Dismiss to March 28, 2018;

16 WHEREAS, the Case Management Conference is set for March 14, 2018;

17 WHEREAS, the parties have met and conferred and believe that there is good cause to
18 vacate the current date for the Case Management Conference, and to reschedule the Case
19 Management Conference on a date on or after the hearing on Defendant’s Motions to Transfer
20 and Dismiss;

21 IT IS HEREBY STIPULATED that the date for the hearings on the Motion to Transfer
22 and the Motion to Dismiss be rescheduled to March 28, 2018, and the Case Management
23 Conference should be vacated and continued to a date on or later than the motion hearings.

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1 **IT IS SO STIPULATED AND AGREED.**

2 Dated: January 23, 2018

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4 By: /s/ Stuart C. Plunkett
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and the Putative Class*

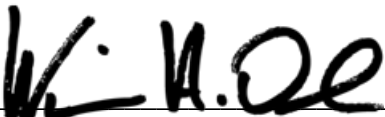
26 The Court HEREBY ORDERS as follows:

27 1. The hearings on the Motions to Transfer and Dismiss shall be rescheduled to
28 March 28, 2018;

2. The Case Management Conference currently scheduled on March 14, 2018 shall
be vacated; and be rescheduled for May 1, 2018 at 2:00 p.m.

IT IS SO ORDERED.

Dated: January 23, 2018



Honorable William H. Orrick
United States District Judge

1 **ATTORNEY ATTESTATION**

2 I, Stuart C. Plunkett, hereby attest, pursuant to Civil Local Rule 5-1(i)(3) of the Northern
3 District of California, that the concurrence to the filing of this document has been obtained from
4 each signatory hereto.

5
6 /s/ Stuart C. Plunkett
7 Stuart C. Plunkett
8 Counsel for Defendant
9 Dr Pepper/Seven Up, Inc.
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11 **CERTIFICATE OF SERVICE**

12 I, Stuart C. Plunkett, hereby certify that the foregoing document shall be served on all
13 parties in this matter via the Court’s Case Management and Electronic Case Files System or by
14 other means authorized by the Federal Rules of Civil Procedure, on January 23, 2018.

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16 /s/ Stuart C. Plunkett
17 Stuart C. Plunkett
18 Counsel for Defendant
19 Dr Pepper/Seven Up, Inc.
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