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Attorneys for Defendant

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

21 BRIAN KUTZA on behalf of himself and all
 22 others similarly situated,

Plaintiff,

v.

24 WILLIAMS-SONOMA, INC.,

Defendant.

Case No. 3:18-cv-03534-~~KAW~~ RS

**STIPULATION AND [~~PROPOSED~~]
 ORDER EXTENDING BRIEFING
 DEADLINES AND CONTINUING CASE
 MANAGEMENT CONFERENCE
 [L.R. 6-2]**

Complaint Filed: June 13, 2018
 Trial Date: None Set

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 Pursuant to Local Rule 6-2, Plaintiff Brian Kutza (“Plaintiff”) and Defendant Williams-
3 Sonoma, Inc. (“Defendant”), by and through their respective counsel, stipulate as follows:

4 **RECITALS**

5 1. WHEREAS, Plaintiff filed the *Class Action Complaint* (the “*Complaint*”) against
6 Defendant on June 13, 2018 (Dkt. 1);

7 2. WHEREAS, the Court issued the *Summons in a Civil Action* (the “*Summons*”) to
8 Defendant on June 14, 2018 (Dkt. 5);

9 3. WHEREAS, the Court issued the *Order Setting Initial Case Management*
10 *Conference and ADR Deadlines* (the “*Case Management Order*”) on June 14, 2018, setting the
11 Initial Case Management Conference for September 11, 2018, the deadline to meet and confer re:
12 initial disclosures, early settlement, ADR process selection, and discovery plan and to file an ADR
13 certification as August 21, 2018, and the deadline to submit a case management statement as
14 September 4, 2018 (Dkt. 3);

15 4. WHEREAS, Plaintiff served the *Complaint, Summons, and Case Management*
16 *Order* on Defendant on June 15, 2018;

17 5. WHEREAS, Defendant requested additional time to respond to the Complaint and,
18 following a meet and confer, on July 2, 2018, the parties stipulated, pursuant to Local Rule 6-1(a),
19 to extend Defendant’s deadline to respond to the *Complaint* by thirty (30) days from July 6, 2018
20 to August 6, 2018 (Dkt. 6);

21 6. WHEREAS, the Court issued the *Clerk’s Note Re Reassigned Case* on July 3,
22 2018, resetting the deadline for the Case Management Statement as September 13, 2018, and
23 resetting the Initial Case Management Conference for September 20, 2018 (Dkt. 11);

24 7. WHEREAS, Defendant filed its *Notice of Motion and Motion to Dismiss Class*
25 *Action Complaint* (the “*Motion*”) on August 6, 2018 setting the hearing for September 20, 2018 at
26 1:30 p.m. (Dkt. 16);

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1 8. WHEREAS, the current deadline for Plaintiff to file an opposition to the *Motion* is
2 August 20, 2018, and the current deadline for Defendant to file a reply in support of the *Motion* is
3 August 27, 2018;

4 9. WHEREAS, Plaintiff requested additional time to file his opposition to the *Motion*
5 to fully brief the issues raised therein and, following a meet and confer, the parties have agreed to
6 extend Plaintiff's opposition deadline and Defendant's reply deadline, and to continue the hearing
7 on the *Motion* and the Case Management Conference (and correspondingly extend the deadline to
8 file the Case Management Statement) to accommodate the new briefing schedule and the Court's
9 schedule, as follows:

- | | | | |
|----|-----|-------------------------------------|-----------------------------|
| 10 | (a) | Opposition Deadline: | September 4, 2018 |
| 11 | (b) | Reply Deadline: | September 24, 2018 |
| 12 | (c) | Case Management Statement Deadline: | October 18, 2018 |
| 13 | (c) | Hearing: | October 25, 2018 at 1:30 PM |
| 14 | (d) | Case Management Conference: | October 25, 2018 at 1:30 PM |

15 10. WHEREAS, the parties seek no other modifications to the schedule;

16 11. NOW, THEREFORE, pursuant to Local Rule 6-2, the parties hereby stipulate and
17 request that the Court enter an order setting the following *Motion* and case management schedule,
18 if acceptable to the Court:

- | | | | |
|----|-----|-------------------------------------|-----------------------------|
| 19 | (a) | Opposition Deadline: | September 4, 2018 |
| 20 | (b) | Reply Deadline: | September 24, 2018 |
| 21 | (c) | Case Management Statement Deadline: | October 18, 2018 |
| 22 | (c) | Hearing: | October 25, 2018 at 1:30 PM |
| 23 | (d) | Case Management Conference: | October 25, 2018 at 1:30 PM |

24 12. WHEREAS, pursuant to Local Rule 5-1(i)(3), by her signature below, **Shane A.**
25 **Greenberg**, attests that concurrence in the filing of this document has been obtained from each of
26 the signatories listed below.

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

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~~PROPOSED~~ ORDER

Pursuant to the foregoing stipulation, **IT IS HEREBY ORDERED** that: (1) the hearing on the motion to dismiss and the case management conference is continued from September 20, 2018 to October 25, 2018 at 1:30 P.M.; and (2) Plaintiff's opposition to the motion to dismiss is due by September 4, 2018 and Defendant's reply is due by September 24, 2018; and, (3) the case management statement is due by October 18, 2018.

IT IS SO ORDERED.

DATE: 8/17/18


HONORABLE RICHARD DEBORG
UNITED STATES DISTRICT JUDGE