

1 Roger R. Myers (CA Bar No. 146164)
 roger.myers@hro.com
 2 Adam Brezine (CA Bar No. 220852)
 adam.brezine@hro.com
 3 HOLME ROBERTS & OWEN LLP
 560 Mission St., 25th Floor
 4 San Francisco, CA 94105
 415-268-2000
 5 415-268-1999 (fax)

6 Attorneys for Defendant
 VITAMIN SHOPPE INDUSTRIES, INC.

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

11 GRADY JACKSON, in his representative
 capacity pursuant to Cal. Bus. & Prof. Code
 12 §§17203, 17535 and Cal. Code Civ. Pro. §§ 382,
 13 1021.5,

14 Plaintiffs,

15 vs.

16 BALANCED HEALTH PRODUCTS, INC., a
 Delaware Corporation, NIKKI HASKELL, an
 individual, GENERAL NUTRITION
 17 CORPORATION, a Pennsylvania Corporation,
 GENERAL NUTRITION CENTERS, INC., a
 18 Pennsylvania Corporation; GREAT EARTH
 COMPANIES INC., a Delaware Corporation;
 19 VITAMIN SHOPPE INDUSTRIES, Inc. a New
 York Corporation; and, DOES 1-50, inclusive,
 20

21 Defendants.

Case No. C 08-05584-CW

**STIPULATION ALLOWING
 PLAINTIFF TO FILE AMENDED
 COMPLAINT AND SETTING DATE
 FOR RESPONSE; ORDER**

1 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Grady
2 Jackson ("Plaintiff") and Defendants Balanced Health Products, Inc., Nikki Haskell,
3 General Nutrition Corporation, General Nutrition Centers, Inc., and The Vitamin Shoppe
4 Industries, Inc. (collectively, "Defendants"), through their respective counsel, as follows:

5 1. Pursuant to Fed. R. Civ. P. 15(a)(2), the Defendants agree that Plaintiff shall
6 be permitted to file an Amended Complaint on or before February 27, 2009.

7 2. The deadline for Defendants to answer or otherwise respond to Plaintiff's
8 Amended Complaint shall be March 13, 2009.

9 Dated: February 20, 2009

10 PINNACLE LAW GROUP, LLP

HOLME, ROBERTS & OWEN LLP

11 By: /s/ Eric Farber
12 Eric J. Farber
13 Attorneys for Plaintiff
GRADY JACKSON

By: /s/ Adam Brezine
Roger R. Myers
Adam Brezine
Attorneys for Defendant
VITAMIN SHOPPE INDUSTRIES, INC.

14 Special Appearance:

MCGUIRE WOODS LLP

15 By: /s/ David Gernsbacher
16 David Gernsbacher (Application for
17 Admission Pending)
18 Specially Appearing for Defendants
BALANCED HEALTH PRODUCTS, INC.
and NIKKI HASKELL

By: /s/ Sidney Kanazawa
Sidney K. Kanazawa
Attorneys for Defendants
GENERAL NUTRITION
CORPORATION and GENERAL
NUTRITION CENTERS, INC.

19
20 PURSUANT TO STIPULATION, IT IS SO ORDERED:

21 
22 _____
United States District Judge

2/24/09

23 Dated: _____
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28

1 ATTESTATION OF CONCURRENCE IN FILING

2 Pursuant to N.D. Cal. General Order No. 45, section 45 X(B), Adam Brezine hereby attests
3 that concurrence in the filing of this stipulation and proposed order has been obtained from Counsel
4 for the non-filing parties.

5
6 HOLME ROBERTS & OWEN LLP

7 By: /s/ Adam Brezine
8 Adam Brezine

9 Attorneys for Vitamin Shoppe Industries, Inc.