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6 Attorneys for Defendant
 VITAMIN SHOPPE INDUSTRIES, INC.

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION
 10

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

14 Plaintiffs,

15 vs.

16 BALANCED HEALTH PRODUCTS, INC., a
 Delaware Corporation, NIKKI HASKELL, an
 17 individual, GENERAL NUTRITION
 CORPORATION, a Pennsylvania Corporation,
 18 GENERAL NUTRITION CENTERS, INC., a
 Pennsylvania Corporation; and VITAMIN
 19 SHOPPE INDUSTRIES, Inc. a New York
 Corporation, inclusive,

20 Defendants.
 21

Case No. C 08-05584-CW

**STIPULATION SETTING DATE FOR
 RESPONSE TO AMENDED
 COMPLAINT AND CONTINUING
 CASE MANAGEMENT CONFERENCE
 TO ACCOMMODATE EARLY
 MEDIATION; ORDER**

1 WHEREAS:

2 A. The parties have agreed to participate in an early mediation before Magistrate
3 Judge Spero on April 1, 2009 (and possibly April 2, 2009, if necessary), and this Court
4 approved the parties' stipulation on March 9, 2009; and

5 B. Plaintiffs filed an Amended Complaint on March 2, 2009; and

6 C. The initial Case Management Conference in this case is currently set for
7 March 24, 2009, before the scheduled mediation.

8 It is HEREBY STIPULATED AND AGREED by and between Plaintiffs Grady
9 Jackson and Kelley Alexander ("Plaintiffs") and Defendants Balanced Health Products,
10 Inc., Nikki Haskell, General Nutrition Corporation, General Nutrition Centers, Inc., and The
11 Vitamin Shoppe Industries, Inc. (collectively, "Defendants"), through their respective
12 counsel, as follows:

13 1. The deadline for Defendants to answer or otherwise respond to Plaintiffs'
14 Amended Complaint shall be Monday, March 23, 2009.

15 2. The initial Case Management Conference in this case is continued to Tuesday,
16 April 28, 2009, at 2:00 p.m., and all related deadlines are continued accordingly.

17 Dated: March 9, 2009

18 PINNACLE LAW GROUP, LLP

HOLME, ROBERTS & OWEN LLP

19
20 By: /s/ Eric Farber
Eric J. Farber
21 Attorneys for Plaintiffs
GRADY JACKSON and KELLY
22 ALEXANDER

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

26 Special Appearance:

MCGUIRE WOODS LLP

27 By: /s/ David Gernsbacher
28 David Gernsbacher (Application for
Admission Pending)
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.

1
2 PURSUANT TO STIPULATION, IT IS SO ORDERED:

3 

4 _____
United States District Judge
3/10/09

5 Dated: _____

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8 ATTESTATION OF CONCURRENCE IN FILING

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

12 HOLME ROBERTS & OWEN LLP

13 By: /s/ Adam Brezine
14 Adam Brezine

15 Attorneys for Vitamin Shoppe Industries, Inc.
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