

1 Roger R. Myers (CA Bar No. 146164)
 roger.myers@hro.com
 2 Adam Brezine (CA Bar No. 220852)
 adam.brezine@hro.com
 3 Katherine Keating (CA Bar No. 217908)
 katherine.keating@hro.com
 4 HOLME ROBERTS & OWEN LLP
 560 Mission St., 25th Floor
 5 San Francisco, CA 94105
 415-268-2000
 6 415-268-1999 (fax)

7 Attorneys for Defendant
 VITAMIN SHOPPE INDUSTRIES, INC.

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION
 11

12 GRADY JACKSON and KELLEY
 13 ALEXANDER, in their representative capacity
 pursuant to Cal. Bus. & Prof. Code §§17203,
 14 17535 and Cal. Code Civ. Pro. §§ 382, 1021.5,

15 Plaintiffs,

16 vs.

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

22 Defendants.
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Case No. C 08-05584-CW

**STIPULATION AND ORDER TO
 EXTEND TIME FOR DEFENDANTS TO
 RESPOND TO FIRST AMENDED
 COMPLAINT**

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

6 The parties have an early settlement conference before Magistrate Judge Spero
7 scheduled for April 1 and 2. Currently, the responses to the First Amended Complaint are
8 to be filed on March 23, 2009. In light of the scheduled Settlement Conference, the Parties
9 have stipulated and respectfully request that the Court order responses to be filed no later
10 than April 9, 2009.

11 Dated: March 19, 2009

12 PINNACLE LAW GROUP, LLP

HOLME, ROBERTS & OWEN LLP

13 By: /s/ Eric Farber
14 Eric J. Farber
15 Attorneys for Plaintiffs
16 GRADY JACKSON and KELLEY
17 ALEXANDER

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

18 Special Appearance:

MCGUIRE WOODS LLP

19 By: /s/ David Gernsbacher
20 David Gernsbacher (Application for
21 Admission Pending)
22 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.

23 PURSUANT TO STIPULATION, IT IS SO ORDERED:

24 

25 _____
26 United States District Judge

27 Dated: 3/23/09

28 STIPULATION TO EXTEND TIME TO RESPOND TO COMPLAINT; [PROPOSED] ORDER
JACKSON V. BALANCED HEALTH PRODUCTS, INC., ET AL.

CASE NO. C 08-05584-CW

1 ATTESTATION OF CONCURRENCE IN FILING

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

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6 HOLME ROBERTS & OWEN LLP

7 By: /s/ Katherine Keating
8 Katherine Keating

9 Attorneys for Vitamin Shoppe Industries, Inc.
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