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16 **UNITED STATES DISTRICT COURT**
 17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 18 **OAKLAND DIVISION**

19 THERESA HERRINGTON, ANNA
 20 HALEY, JOY SARJENT, KIMBERLEY
 21 FOURNIER, and CINDY KING,
 individually and on behalf of themselves and
 all others similarly situated,

22 Plaintiffs,

23 vs.

24 JOHNSON & JOHNSON CONSUMER
 25 COMPANIES, INC., L'OREAL USA, INC.,
 26 KIMBERLY-CLARK CORPORATION,
 CVS/CAREMARK CORPORATION, and
 TARGET CORPORATION,

27 Defendants.
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Case No. CV 09 1597 CW

**STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE;
~~PROPOSED~~ ORDER**

CLASS ACTION

Ass. to the Hon. Claudia Wilken, Ctrm. 2

Complaint Filed: April 10, 2009
 First Amended Comp. Filed: July 15, 2009

1 WHEREAS, Plaintiff Theresa Herrington filed a Complaint against Defendants Johnson
2 & Johnson Consumer Companies, Inc. (“Johnson & Johnson”) and L’Oreal USA, Inc.
3 (“L’Oreal”) on April 10, 2009;

4 WHEREAS, Plaintiff filed a First Amended Complaint on July 15, 2009, adding Anna
5 Haley, Joy Sarjent, Kimberley Fournier, and Cindy King as additional plaintiffs and adding
6 Kimberly-Clark Corporation, CVS/Caremark Corporation, and Target Corporation as additional
7 defendants;

8 WHEREAS, due to the parties’ schedules, the parties were unable to hold their Federal
9 Rules of Civil Procedure, Rule 26(f) conference until November 11, 2009;

10 WHEREAS, a Case Management Conference (“CMC”) is currently scheduled for
11 November 24, 2009, at 2:00 p.m.;

12 WHEREAS, the parties’ Joint Rule 26(f) Report was due seven court days prior to the
13 CMC, on November 13, 2009;

14 WHEREAS, due to the schedules of the parties, as well as the Court’s availability, the
15 next available date on which a CMC can be held is April 6, 2010;

16 WHEREAS, in light of the timing of the Rule 26(f) conference, the parties request
17 additional time to prepare their Rule 26(f) Report, and have therefore agreed, subject to court
18 approval, to continue the CMC until April 6, 2010, at 2:00 p.m., with their Joint Rule 26(f)
19 Report due seven (7) court days prior, on March 26, 2010;

20 WHEREAS, pursuant to Local Rule 6-2(a)(1), the parties request that the CMC be
21 continued in order to provide sufficient time for the parties to complete their Joint Rule 26(f)
22 Report;

23 WHEREAS, pursuant to Local Rule 6-2(a)(2), the following previous modifications of
24 time have been made in this case:

25 1. On April 30, 2009, the parties entered a stipulation extending Defendant Johnson
26 & Johnson’s deadline to respond to the complaint until June 12, 2009.

27 2. On May 5, 2009, the parties entered a stipulation extending Defendant L’Oreal’s
28 deadline to respond to the complaint until June 12, 2009.

1 3. On June 10, 2009, the parties entered a stipulation extending L'Oreal's deadline to
2 respond to the complaint until August 12, 2009.

3 4. On June 15, 2009, the parties entered a stipulation extending Johnson &
4 Johnson's deadline to respond to the complaint until August 12, 2009.

5 5. On July 27, 2009, the parties filed a Joint Motion for Administrative Relief Re:
6 Twelve Week Continuance of the August 4, 2009 Initial Case Management Conference and
7 Extension of Initial Disclosures and Case Management Deadlines, and on July 30, 2009, the
8 parties filed a Stipulation to Extend Initial Disclosure and Case Management Deadlines. On
9 August 3, 2009, the Court granted the stipulation, setting the following schedule:

10 a. October 27, 2009 – last day to: (1) meet and confer re: initial disclosures,
11 early settlement, ADR process selection, and discovery plan; (2) file ADR Certification signed by
12 parties and counsel; and (3) file either Stipulation to ADR Process or Notice of Need for ADR
13 Phone Conference.

14 b. November 10, 2009 – last day to: (1) file Rule 26(f) Report; (2) complete
15 initial disclosures or state objection in Rule 26(f) Report; and (3) file Case Management
16 Statement.

17 c. November 17, 2009, at 2:00 p.m. – Initial Case Management Conference.

18 d. The deadline for Defendants to respond to the First Amended Complaint
19 was to be determined at a later time.

20 WHEREAS, on August 24, 2009, the Court ordered a stay of the case. On October 7,
21 2009, the Court lifted the stay and issued the current Case Management Scheduling Order. Since
22 then, no time modifications have been made in this case;

23 WHEREAS, pursuant to Local Rule 6-2(a)(3), the requested continuance of the CMC will
24 affect only the scheduling of the CMC itself.

25 WHEREAS, the parties have further agreed to exchange their initial disclosures on
26 December 8, 2009;

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*I, Gretchen Carpenter, am the ECF user whose ID and password are being used to file this Stipulation to Continue CMC. In compliance with General Order 45.X.B., I hereby attest that the counsel listed above concurred with this filing.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 11/23, 2009



Hon. Claudia Wilken
United States District Court Judge