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7 Attorneys for Defendant  
 JOHNSON & JOHNSON CONSUMER  
 8 COMPANIES, INC.

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 10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 OAKLAND DIVISION

13 THERESA HERRINGTON, ANNA  
 14 HALEY, JOY SARJENT, KIMBERLY  
 FOURNIER and CINDY KING,  
 15 individually and on behalf of herself and all  
 others similarly situated,

16 Plaintiffs,

17 v.

18 JOHNSON & JOHNSON CONSUMER  
 19 COMPANIES, INC., L'OREAL USA,  
 INC., KIMBERLY-CLARK  
 20 CORPORATION, CVS/CAREMARK  
 CORPORATION, and TARGET  
 21 CORPORATION,

22 Defendants.  
 23

Case No. CV 09 1597 CW (EMC)

**STIPULATION TO STAY DISCOVERY  
 AND ADJOURN CURRENT DISCOVERY  
 DEADLINES  
 [PROPOSED] ORDER**

24 Plaintiffs THERESA HERRINGTON, ANNA HALEY, JOY SARGENT, KIMBERLEY  
 25 FOURNIER, and CINDY KING ("Plaintiffs") AND Defendants JOHNSON & JOHNSON  
 26 CONSUMER COMPANIES, INC. L'OREAL USA, INC.; KIMBERLYCLARK  
 27 CORPORATION; CVS PHARMACY, INC. and TARGET CORPORATION (collectively,  
 28

1 “Defendants”), by and through the undersigned, in the interests of judicial economy, hereby  
2 stipulate and agree to the following:

3 WHEREAS, all discovery motions filed in the above-captioned case were referred to  
4 Magistrate Judge Edward M. Chen on June 3, 2010 (Docket # 170);

5  
6 WHEREAS, via an Order entered July 29, 2010 (Docket Entry #201); subsequent to the  
7 hearing which was held on July 28, 2010, Magistrate Judge Edward M. Chen Denied Defendants’  
8 Omnibus Motion to Stay Discovery Pending Outcome of Filed Motions to Dismiss (Docket Entry  
9 #173); and required that the parties further meet and confer regarding Plaintiffs’ Motion to  
10 Compel Further Responses to Plaintiffs’ First Set of Requests for Production (Docket Entry  
11 #167); and Plaintiff’s Motion for Entry of Discovery Protocol.<sup>1</sup> (Docket Entry #177). Magistrate  
12 Judge Chen’s Order also required the parties to submit a joint letter setting forth all remaining  
13 discovery disputes following the required meet and confer, no later than September 3, 2010;<sup>2</sup>  
14

15 WHEREAS, on September 1, 2010, Judge Claudia Wilken entered an order granting  
16 Defendants Omnibus Motion to Dismiss, which further granted leave for plaintiffs to file an  
17 amended complaint within fourteen (14) days of the date of the Order, on or before September 15,  
18 2010. (Docket Entry #207). Should Plaintiffs amend the complaint, and if the case is not  
19 dismissed, Judge Wilken’s Order further set an Initial Case Management Conference for  
20 November 23, 2010 at 2:00 p.m.;

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24 <sup>1</sup> On August 6, 2010, the parties submitted and filed a Joint ESI Discovery Protocol  
25 (Docket Entry #205), which was signed by Magistrate Judge Edward M. Chen on August 10,  
2010 (Docket Entry #206).

26 <sup>2</sup> Following the required meet and confer session, on August 31, 2010, the parties  
27 requested and obtained an extension of an additional seven (7) days to make the joint letter  
28 submission to the Court, up to and including September 10, 2010.

1           WHEREAS, in the interest of judicial economy, Plaintiffs and Defendants hereby stipulate  
2 and agree that, subject to Court approval, all discovery activity be stayed, and all previously set  
3 discovery-related deadlines, including the September 10, 2010 deadline of the parties to submit a  
4 joint letter setting forth all remaining post-meet and confer discovery disputes be adjourned until  
5 further order of the Court;  
6

7           THEREFORE, the parties hereby stipulate and agree, subject to Court approval, that a  
8 stay be imposed on all discovery activity, and all current discovery deadlines be adjourned until  
9 further order of the Court.

10 IT IS SO STIPULATED.  
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Dated: September 3, 2010

DRINKER BIDDLE & REATH LLP

By: : \_\_\_\_\_ /s/  
David B. Sudzus

Attorneys for Defendant  
JOHNSON & JOHNSON CONSUMER  
COMPANIES, INC., and with the consent of  
and on behalf of Defendants, L'OREAL USA,  
INC.; KIMBERLYCLARK  
CORPORATION; CVS PHARMACY, INC.  
and TARGET CORPORATION,  
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Dated: September 3, 2010

HAGENS BERMAN SOBOL SHAPIRO LLP

By: \_\_\_\_\_ /s/  
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\*I, Steven M. Selna, am the ECF user whose ID and password are being used to file this Stipulation to Stay Discovery . 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: 9/10, 2010 \_\_\_\_\_

Hon. Edward M. Chen  
United States District Court Magistrate Judge

