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16 **UNITED STATES DISTRICT COURT**

17 **NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION**

18 DAVID GARDNER, STEVE MATTERN, BRIAN
19 CERRE, and WILLIAM SULLIVAN, individually
and on behalf of all similarly situated current and
former employees,

20 Plaintiffs,
21

22 v.

23 SHELL OIL COMPANY, SHELL OIL
PRODUCTS COMPANY LLC, and EQUILON
24 ENTERPRISES LLC dba SHELL OIL
PRODUCTS US and DOES 1 through 20,
inclusive,
25

26 Defendants.
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Case No. C 09-05876 CW (DMR)

Assigned to the Honorable Claudia Wilken

**JOINT STIPULATION TO ENLARGE TIME
UNDER DISCOVERY CUT-OFF**

1 Pursuant to L.R. 6-2 and 7-12, Plaintiffs David Gardner, Steve Mattern, Brian Cerri, and William
2 Sullivan, and Defendants Shell Oil Company (“SOC”), Shell Oil Products Company LLC (“SOPC”), and
3 Equilon Enterprises LLC dba Shell Oil Products US (“SOPUS”) (collectively, “the Parties”), by and
4 through their undersigned counsel, hereby stipulate as follows:

5 WHEREAS, the discovery cut-off in this case was January 31, 2011 (Dkt. 28);

6 WHEREAS, on January 31, 2011, Defendant SOPUS requested a two-week extension to respond
7 to Plaintiffs’ first set of requests for admission, second set of requests for production, and second set of
8 interrogatories, propounded on December 30, 2010;

9 WHEREAS, the Parties desire to avoid unnecessary motions to compel, which, pursuant to L.R.
10 37-3 and under the current discovery cut-off date, would need to be filed by February 7, 2011;

11 WHEREAS, at the class certification hearing on January 27, 2011, the Court stated that it will be
12 certifying this case as a class action;

13 WHEREAS, the Parties need additional time to conduct merits discovery and discovery related to
14 the amount of restitution, backpay, and penalties potentially owed to the class; and

15 WHEREAS, there has been one other time modification in this case and the time modification to
16 which the Parties stipulate herein will not adversely affect the schedule for the case.

17 NOW, THEREFORE, the Parties agree and stipulate that the fact discovery cut-off in this case be
18 reset to March 15, 2011.

19 IT IS SO STIPULATED.

20 Dated: February 7, 2011

GILBERT & SACKMAN, A Law Corporation

21 By: /s/ Linda S. Fang
22 Linda S. Fang
23 Attorneys for Plaintiffs David Gardner, Steve
Mattern, Brian Cerri, and William Sullivan

24 Dated: February 7, 2011

EPSTEIN BECKER & GREEN, P.C.


25 By: /s/ Angel Gomez
26 Angel Gomez
27 Attorneys for Defendants Shell Oil Company, Shell
28 Oil Products Company LLC, and Equilon
Enterprises LLC dba Shell Oil Products US

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ORDER

PURSUANT TO STIPULATION ON PAGE 1, ABOVE, IT IS SO ORDERED.

Dated: 2/10/2011


Hon. Claudia Wilken
United States District Judge

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CERTIFICATE OF SERVICE

I, Linda S. Fang, certify that on February 7, 2011, the foregoing document entitled:

JOINT STIPULATION TO ENLARGE TIME UNDER DISCOVERY CUT-OFF

was filed electronically in the Court’s ECF; thereby upon completion the ECF system automatically generated a “Notice of Electronic Filing” (“NEF”) as service through CM/ECF to registered e-mail addresses of parties of record in the case, in particular on the following:

Angel Gomez
agomez@ebglaw.com

Deanna Ballesteros
dballesteros@ebglaw.com

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on February 7, 2011, at Los Angeles, California.

/s/ Linda S. Fang
Linda S. Fang