

1 WILLIAM L. STERN (CA SBN 96105)
 WStern@mofo.com
 2 JANELLE J. SAHOURIA (CA SBN 253699)
 JSahouria@mofo.com
 3 MORRISON & FOERSTER LLP
 425 Market Street
 4 San Francisco, California 94105-2482
 Telephone: 415.268.7000
 5 Facsimile: 415.268.7522

6 Attorneys for Defendants
 BEN & JERRY’S HOMEMADE, INC.;
 7 CONOPCO, INC. d/b/a UNILEVER (formerly d/b/a GOOD
 HUMOR-BREYERS); and UNILEVER d/b/a BREYERS
 8

9
 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION
 13

14 SKYE ASTIANA, on behalf of herself and all
 others similarly situated,

15 Plaintiff,

16 v.

17 BEN & JERRY’S HOMEMADE, INC.,

18 Defendant.
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28

Case No. 10-CV-04387-PJH

**JOINT STIPULATION AND
 [PROPOSED] ORDER
 CONTINUING ADR DEADLINE
 AND ALLOWING PARTIES TO
 ENGAGE IN PRIVATE ADR**

Judge: Hon. Phyllis J. Hamilton
 Action Filed: September 29, 2010

1 Pursuant to ADR L.R. 3-4(b), the parties in *Skye Astiana v. Ben & Jerry's Homemade,*
2 *Inc.*, Case No. 10-cv-04387-PJH (N.D. Cal.) (“*Astiana*”), hereby stipulate and agree as follows:

3 WHEREAS, the parties in *Astiana* stipulated to and were ordered to engage in mediation
4 pursuant to ADR L.R. 6 within 90 days after the Court ruled on Defendant’s motion to dismiss
5 the amended complaint. (*Astiana* Dkt. 28.)

6 WHEREAS, the motion to dismiss in *Astiana* was decided on May 26, 2011 (*Astiana* Dkt.
7 62), and the ADR completion deadline for *Astiana* is currently August 24, 2011.

8 WHEREAS, the parties in *Astiana* have met and conferred and desire to opt-out of the
9 court-sponsored ADR program and to mediate the case before a private mediator;

10 WHEREAS, the parties now request that the Court vacate the order in *Astiana* requiring
11 the parties to participate in the court-sponsored ADR program (*Astiana* Dkt. 28).

12 WHEREAS, the parties also request that the deadline to participate in ADR be extended
13 by 60 days until October 23, 2011 to allow the parties sufficient time to participate in ADR.

14 NOW, THEREFORE, it is stipulated by and between the parties, by and through their
15 respective attorneys of record, subject to Court approval as follows:

16 The parties in *Astiana* will participate in a private mediation conducted by a private
17 mediator.

18 The deadline to complete the mediation is October 23, 2011.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: June 17, 2011

JOSEPH N. KRAVEC, JR.
ELLEN M. DOYLE
STEMBER FEINSTEIN DOYLE & PAYNE,
LLC

By: /s/ Joseph N. Kravec, Jr.
Joseph N. Kravec, Jr.

Attorneys for Plaintiffs in *Astiana*

Dated: June 17, 2011

WILLIAM L. STERN
JANELLE J. SAHOURIA
MORRISON & FOERSTER LLP

By: /s/ Janelle J. Sahouria
JANELLE J. SAHOURIA

Attorneys for Defendants in *Astiana*

ECF ATTESTATION

I, Janelle J. Sahouria, am the ECF User whose ID and Password are being used to file this:
JOINT STIPULATION AND [PROPOSED] ORDER CONTINUING ADR DEADLINE AND
ALLOWING PARTIES TO ENGAGE IN PRIVATE ADR.

In compliance with General Order 45, X.B., I hereby attest that Joseph N. Kravec, Jr. has
concurred in this filing.

Dated: June 17, 2011

MORRISON & FOERSTER LLP

By: /s/ Janelle J. Sahouria
Janelle J. Sahouria

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: 6/20/11

HONORABLE PHYLLIS J. HAMILTON
United States District Court Judge

