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10 Attorneys for Plaintiff JESSICA STAGNER

11 UNITED STATES DISTRICT COURT
12
13 NORTHERN DISTRICT OF CALIFORNIA

14 JESSICA STAGNER, an individually and on
15 behalf of all other persons similarly situated,

16 Plaintiff,

17 vs.

18 LUXOTTICA RETAIL NORTH
19 AMERICA INC., an Ohio Corporation;
20 LENSRAFTERS, INC., an Ohio
21 Corporation,

22 Defendants.

Case No. CV 11 2889 CW

**STIPULATION OF THE PARTIES RE:
TIMING OF OPPOSITION AND REPLY
FOR MOTION TO COMPEL
ARBITRATION AND STAY LITIGATION
OR, IN THE ALTERNATIVE, DISMISS
AND/OR STRIKE**

Date: August 11, 2011
Time: 2:00 p.m.
Courtroom: 2
Judge: Hon. Claudia Wilkin

1 WHEREAS, on May 20, 2011, Plaintiff Jessica Stagner filed a complaint against
2 Defendants Luxottica Retail North America, Inc. (“Luxottica”) and LensCrafters, Inc.
3 (“LensCrafters”) in the San Francisco County Superior Court, Case No. CGC-11-511135,
4 alleging violations of the California Labor Code in an individual and representative capacity. On
5 June 13, 2011, Defendant filed a petition to remove the case to the United States District Court
6 for the Northern District of California pursuant to 28 U.S.C. §§ 1332 (as amended by the Class
7 Action Fairness Act of 2005, Pub. L. 109-2, section 4(a) (“CAFA”)), 1441(a) and (b) and 1446.

8 WHEREAS on June 20, 2011, Defendants filed a motion to compel arbitration and stay
9 litigation or, in the alternative, dismiss and/or strike (the “motion to stay”). Presently, Plaintiff’s
10 deadline to oppose this motion is July 5, 2011, and Defendant’s reply is due July 12, 2011.

11 WHEREAS the Parties have conferred, and the Parties agree that Plaintiff’s deadline to
12 oppose the motion is extended to July 7, 2011. Likewise, Defendant’s deadline to file a reply to
13 Plaintiff’s opposition is extended to July 14, 2011. This stipulation is based on Plaintiff’s need
14 for additional time to brief the novel issues raised by the motion to stay.

15 WHEREAS, there have been no previous time modifications in the case, and this
16 modification will not affect the motion hearing itself, or any other deadline or schedule for the
17 case.

18 IT IS HEREBY STIPULATED, by and between Plaintiffs and Defendant by and through
19 their respective counsel, that:

- 20 1. Pursuant to Local Rules 6.2(a) and 7-12, Plaintiff shall have until July 7, 2011, to file her
21 opposition to the motion to stay. Defendant shall have until July 14, 2011, to file any
22 reply papers to Plaintiff’s opposition.

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IT IS SO STIPULATED.

DATED: July 5, 2011

HOFFMAN EMPLOYMENT LAWYERS, LLP

/S/ Michael Hoffman

Michael Hoffman, Esq.
Attorneys for Plaintiff JESSICA STAGNER

DATED: July 5, 2011

ORRICK, HERRINGTON, AND SUTCLIFFE LLP

/S/ Lynne C. Hermle

Lynne C. Hermle, Esq.
Attorney for Defendants Luxottica Retail North
America, Inc., and LensCrafters, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: July 5, 2011



Hon. Claudia Wilken
Judge of the United States District Court