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12 Attorneys for Defendants
 13 NIKE RETAIL SERVICES, INC.,
 NIKE USA, INC., and NIKE, INC

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**

16 WEBSTER PROCTOR, on behalf of himself
 17 and all others similarly situated, and the
 general public

18 Plaintiffs,

19 v.

20 NIKE RETAIL SERVICES, INC., an Oregon
 21 corporation,

22 Defendant.

CASE NO. 11-CV-6711 YGR

[Assigned to the Honorable Yvonne Gonzalez Rogers]

23 **JOINT STIPULATION AND ^{Revised}~~PROPOSED~~**
ORDER FOR LEAVE TO FILE THIRD
AMENDED COMPLAINT

24 Complaint Filed:

December 29, 2011

1 IT IS HEREBY STIPULATED by and between the parties to this action, Plaintiff Webster
2 Proctor (“Plaintiff”) and Defendant NIKE Retail Services, Inc. (“Defendant”) (collectively, the
3 “Parties”), that:

4 (1) On April 20, 2012, Plaintiff filed the Second Amended Complaint pursuant to stipulation
5 of the Parties and Order of the Court;

6 (2) Defendant’s deadline to file a responsive pleading to the Second Amended Complaint is
7 May 4, 2012;

8 (3) The Parties have met and conferred regarding the Second Amended Complaint and agree
9 that, instead of Defendant filing a Motion to Dismiss and/or Strike on or before May 4, 2012,
10 Plaintiff should be granted leave to file the proposed Third Amended Complaint, a copy of which
11 is attached hereto as Exhibit A; and

12 (4) Defendant agrees to file an answer to the proposed Third Amended Complaint.

13 The parties also stipulate that the Third Amended Complaint shall be deemed ~~filed and~~ served on
14 Defendant NIKE Retail Services, Inc., as of the date of the Court’s Order.

15 IT IS SO STIPULATED.

16
17 DATED: May 3, 2012

SEYFARTH SHAW LLP

18
19 By: /s/ _____
20 Sheryl Skibbe
21 Attorneys for Defendants
22 NIKE RETAILS SERVICES, INC., NIKE USA,
23 INC AND NIKE, INC.

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25 DATED: May 3, 2012

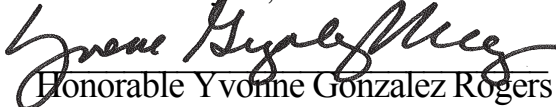
HOFFMAN EMPLOYMENT LAWYERS, LLP

26
27 By: /s/ _____
28 Michael Hoffman
Attorneys for Plaintiff
WEBSTER PROCTOR

1 IT IS SO ORDERED. Plaintiff shall file his Third Amended Complaint no later than May 11, 2012.

2 Defendant shall file and serve its answer no later than May 29, 2012.

3 DATED: May 7, 2012


4 Honorable Yvonne Gonzalez Rogers
United States District Court Judge

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