

1 STEPHEN A. SCOTT (SBN 67467)
 2 DARA M. TANG (SBN 231413)
 3 HAYES SCOTT BONINO ELLINGSON & McLAY, LLP
 203 Redwood Shores Pkwy., Ste. 480
 4 Redwood City, California 94065
 Telephone: 650.637.9100
 Facsimile: 650.637.8071

5 Attorneys for Defendant
 COUNCIL OF BETTER BUSINESS BUREAUS, INC.

6
 7
 8 IN THE UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 JEFFREY A. KAISER,

11 Plaintiff,

12 v.

13 BMW OF NORTH AMERICA, LLC, and
 14 COUNCIL OF BETTER BUSINESS
 BUREAUS, INC.,

15 Defendants.

CASE NO. C 12-01311 DMR

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING THE DEADLINE
 FOR DEFENDANT COUNCIL OF
 BETTER BUSINESS BUREAUS, INC.'S
 REPLY BRIEF IN SUPPORT OF ITS
 MOTION FOR LEAVE TO FILE ANTI-
 SLAPP**

16
 17 **STIPULATION BETWEEN PLAINTIFF AND DEFENDANT BBB**

18 WHEREAS, on April 17, 2013, Defendant Council of Better Business Bureaus, Inc.
 19 (“BBB”) filed a Motion for Leave to File an Anti-SLAPP Motion pursuant to California Code of
 20 Civil Procedure §425.16;

21 WHEREAS, on April 24, 2013, the court set the BBB’s Motion for Leave for hearing on
 22 May 30, 2013, with plaintiff’s opposition due May 1, 2013, and BBB’s reply brief due May 8, 2013;

23 WHEREAS, plaintiff and BBB have reached a settlement in principal and are working on
 24 preparing the settlement documents;

25 WHEREAS, in light of the settlement, plaintiff and BBB agree and stipulate to continue the
 26 deadline for BBB to file its reply brief from May 8, 2013 to May 16, 2013, as plaintiff and BBB
 27 expect that the settlement documents will be finalized by that time.

28

1 **It is so Stipulated:**

2 Dated: May 6, 2013

HAYES, SCOTT, BONINO, ELLINGSON & McLAY, LLP

3

4

By: //S// Dara M. Tang
STEPHEN A. SCOTT
DARA M. TANG
Attorneys for Defendant
COUNCIL OF BETTER BUSINESS
BUREAUS, INC.

5

6

7

8

9 Dated: May 6, 2013

KAISER GORNICK LLP

10

11

By: //S// Dennis J. Canty
LAWRENCE J. GORNICK
DENNIS J. CANTY
Attorneys for Plaintiff
JEFFREY A. KAISER

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

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

[REDACTED] ORDER

Based on the Stipulation of the Parties, BBB's Reply Brief in Support of its Motion for Leave to File an Anti-SLAPP Motion will be due on May 16, 2013.

IT IS SO ORDERED.

Dated: May 6, 2013



Honorable Donna M. Ryu