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7 Attorneys for Plaintiff Gerald Lyon,
 on behalf of himself and all others similarly situated
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 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION
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13 GERALD LYON, on behalf of himself and all others
 14 similarly situated,
 15 Plaintiff,
 16 vs.
 17 VALERO REFINING COMPANY - CALIFORNIA,
 A DELAWARE CORPORATION, VALERO
 18 SERVICES, INC., A DELAWARE
 CORPORATION, and Does 1 through 50, inclusive,
 19 Defendants.
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No. 4:12-cv-05745 SBA
 [Alameda County Superior Court Case
 No. RG12645202]
**JOINT STIPULATION AND ORDER
 RE: BRIEFING DATES FOR
 DEFENDANT’S MOTION TO
 COMPEL ARBITRATION AND
 PLAINTIFF’S MOTION TO REMAND**

21 Plaintiff Gerald Lyon (“Plaintiff”) and Defendants Valero Refining Company – California
 22 and Valero Services, Inc. (“Defendants”) (collectively referred to herein as “the Parties), by and
 23 through their counsel of record, hereby stipulate as follows:

24 WHEREAS, Defendants removed this action to this Court on November 8, 2012;
 25 WHEREAS, Defendants filed a Motion To Stay Action To Compel Individual Arbitration
 26 Of Plaintiff’s Claims on November 19, 2012;
 27 WHEREAS, Defendants’ motion is noticed for hearing before this Court on January 29,
 28 2013;

1 WHEREAS, Northern District Local Rule 7-3 sets the due dates for Plaintiff's opposition
2 to Defendants' motion as December 3, 2012, and for Defendants' reply as December 10, 2012;

3 WHEREAS, Plaintiff intends to file a motion to remand this action to Alameda County
4 Superior Court on December 10, 2012, the statutory deadline to do so, and to notice the motion for
5 hearing on January 29, 2013, the same date as Defendants' motion;

6 WHEREAS, Northern District Local Rule 7-3 sets the due dates for Defendants'
7 opposition to Plaintiff's motion as December 24, 2012, and for Plaintiff's reply as December 31,
8 2012;

9 WHEREAS, due to Plaintiff's counsel's calendar congestion and previously scheduled
10 vacations surrounding the upcoming holidays, the Parties have agreed to new briefing deadlines
11 for their respective motions based on the prior local rule for such deadlines, i.e., 21 days prior to
12 the noticed hearing date for oppositions, and 14 days prior to the hearing date for replies;

13 THEREFORE, IT IS HEREBY STIPULATED BY THE PARTIES, THROUGH THEIR
14 RESPECTIVE COUNSEL, that the deadlines for their respective opposition briefs shall be
15 continued to January 8, 2013, and that the deadlines for their respective reply briefs shall be
16 continued to January 15, 2013.

17 IT IS SO STIPULATED.

18 Date: December 7, 2012

QUALLS & WORKMAN, L.L.P.

19
20 By: /s/ Robin G. Workman
ROBIN G. WORKMAN
21 Attorneys for Plaintiff Gerald Lyon,
on behalf of himself and all others similarly
22 situated

23
24 Date: December 7, 2012

SHEPPARD MULLIN RICHTER & HAMPTON,
LLP

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26 By: /s/ Thomas R. Kaufman
THOMAS R. KAUFMAN
27 Attorneys for Defendants

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ORDER

Pursuant to the stipulation between the parties, the Court hereby ORDERS as follows:

1. The briefing deadlines for Defendants’ Motion To Stay and Compel Individual Arbitration are continued to January 8, 2013, for Plaintiff’s opposition, and to January 15, 2013, for Defendants’ reply.

2. The briefing deadlines for Plaintiff’s forthcoming Motion to Remand are set for January 8, 2013, for Defendants’ opposition, and for January 15, 2013, for Plaintiff’s reply.

3. Plaintiff’s Motion to Remand shall be set for hearing on January 29, 2013, at 1:00 p.m., the same date as Defendants’ motion.

SO ORDERED.

Dated: 12/6/12



Hon. Sandra Brown Armstrong
United States District Court Judge