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14 *Attorneys for Defendants*
 15 *Charoen Pokphand Foods PCL and*
 16 *C.P. Food Products, Inc.*

17 **UNITED STATES DISTRICT COURT**
 18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19 MONICA SUD,
 20
 21 Plaintiff,
 22
 23 v.
 24 COSTCO WHOLESALE CORPORATION,
 25 et al.,
 26
 27 Defendants.

Case No. 15-cv-03783-JSW

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER TO ADJOURN INITIAL CASE
 MANAGEMENT CONFERENCE AND
 RELATED DEADLINES**

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1 Pursuant to Civil Local Rule 6-1(b) for the Northern District of California, the parties, by
2 and through their undersigned attorneys, stipulate as follows:

3 WHEREAS, the Initial Case Management Conference is currently scheduled for January
4 22, 2016 at 11:00 a.m.;

5 WHEREAS, pursuant to the Clerk's Notice Continuing Initial Case Management
6 Conference (D.I. 45), the parties' joint case management statement is due January 15, 2016;

7 WHEREAS, the last court day for the parties to confer pursuant to Federal Rule of Civil
8 Procedure 26(f) is December 31, 2015;

9 WHEREAS, the defendants have filed motions to dismiss the complaint, which motions
10 are pending (D.I. 38, 39, 47);

11 WHEREAS, in the interest of judicial economy, the parties believe that it would be most
12 efficient to adjourn the Initial Case Management Conference until 30 days after the Court
13 determines that all or any portion of the complaint has survived the motions to dismiss;

14 WHEREAS, this is the parties' second request to reschedule the Initial Case Management
15 Conference (*see* D.I. 43);

16 WHEREAS, this request will not alter the schedule set by this Court for defendants'
17 pending motions to dismiss; and

18 WHEREAS, this stipulation is without prejudice to any party seeking a further
19 continuance of the Initial Case Management Conference.

20 NOW, THEREFORE, pursuant to Local Rule 6-2, all parties agree, subject to the
21 approval of the Court, as follows:

22 The Initial Case Management Conference scheduled for January 22, 2016 is adjourned;

23 The Initial Case Management Conference shall be rescheduled for 30 days after the Court
24 issues any Order determining that all or any portion of the complaint has survived the motions to
25 dismiss, or as soon thereafter as the Court may determine;

26 The current dates for the disclosures and joint case management statement required by
27 Federal Rules of Civil Procedure 16 and 26, and the Clerk's Notice Continuing Initial Case
28 Management Conference (D.I. 45), are adjourned accordingly.

1 Dated: December 16, 2015

Respectfully submitted,

2 DAVIS POLK & WARDWELL LLP

3 By: /s/ Christopher B. Hockett

4 Christopher B. Hockett (SBN 121539)

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8 *Attorney for Defendants*

9 *Charoen Pokphand Foods PCL and C.P.*

Food Products, Inc.

10 Dated: December 16, 2015

COTCHETT, PITRE & McCARTHY, LLP

11 By: /s/ Niall P. McCarthy

12 Niall P. McCarthy

13 *Attorney for Plaintiff*

14 Dated: December 16, 2015

HOWARD LAW FIRM

15 By: /s/ Derek Howard

16 Derek Howard

17 *Attorney for Plaintiff*

18 Dated: December 16, 2015

JENKINS MULLIGAN & GABRIEL, LLP

19 By: /s/ Daniel J. Mulligan

20 Daniel J. Mulligan

21 *Attorney for Plaintiff*

22 Dated: December 16, 2015

JONES DAY

23 By: /s/ Caroline N. Mitchell

24 Caroline N. Mitchell

25 *Attorney for Defendant Costco*

26 *Wholesale Corp.*

27 Pursuant to Local Rule 5-1(i)(3), I, Christopher B. Hockett, attest that concurrence in
28 filing this document has been obtained from the other signatories.

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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3 Dated: December 17, 2015


Honorable Jeffrey S. White

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