

1 Plaintiff Irving Firemen’s Relief & Retirement Fund (“Plaintiff”) and Defendants Uber
2 Technologies, Inc. and Travis Kalanick (collectively, “Defendants”), by and through their
3 undersigned counsel, hereby stipulate as follows:

4 WHEREAS, on September 26, 2017, Plaintiff filed its Complaint against Defendants;

5 WHEREAS, the parties previously stipulated that Defendants would have until December
6 1, 2017 to file a responsive pleading (Dkt. 11 & 18);

7 WHEREAS, the parties previously stipulated that, to the extent Defendants filed a motion
8 to dismiss, Plaintiff would have seven weeks (until January 17, 2018) to oppose the motion and
9 Defendants would have four weeks (until February 14, 2018) to file a reply in support of the
10 motion (Dkt. 11 & 18);

11 WHEREAS, the Court granted the parties’ prior stipulations (Dkt. 12 & 19);

12 WHEREAS, Defendants each filed a motion to dismiss on December 1, 2017 (Dkt. 27 &
13 29);

14 WHEREAS, Defendants’ motions to dismiss are currently scheduled for hearing on
15 March 8, 2017;

16 WHEREAS, on December 12, 2017, Plaintiff informed Defendants that Plaintiff intends to
17 voluntarily file an amended complaint on or before December 22, 2017 (the “Amended
18 Complaint”);

19 WHEREAS, if Plaintiff files an Amended Complaint on December 22, 2017, Defendants’
20 deadline to respond to the Amended Complaint would fall on January 5, 2018;

21 WHEREAS, the parties have negotiated a deadline for any responsive pleading to the
22 Amended Complaint and a briefing schedule in the event that Defendants move to dismiss the
23 Amended Complaint;

24 WHEREAS, the parties’ proposed extension of Defendants’ responsive pleading deadline
25 and the parties’ proposed briefing schedule will not change or alter the date of any event or any
26 deadline already fixed by Court order because the current motion to dismiss dates will be mooted
27 by Plaintiff’s filing of the Amended Complaint;

28

1 IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through their
2 undersigned counsel and subject to this Court's approval:

3 1. Defendants' deadline to answer or otherwise respond to Plaintiff's Amended
4 Complaint is extended through and including January 19, 2018.

5 2. If Defendants move to dismiss, Plaintiff may respond by February 16, 2018, and
6 Defendants may reply by March 9, 2018.

7 IT IS SO STIPULATED.

8 Dated: December 19, 2017

Respectfully submitted,

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ECF ATTESTATION

I, Nathaniel Lipanovich, am the ECF user whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER. I hereby attest that I received authorization to insert the signatures indicated by a conformed signature (/s/) within this e-filed document.


By: /s/ Nathaniel Lipanovich
Nathaniel Lipanovich

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ORDER

Pursuant to stipulation, IT IS SO ORDERED.

DATED: December 20, 2017



THE HONORABLE HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE