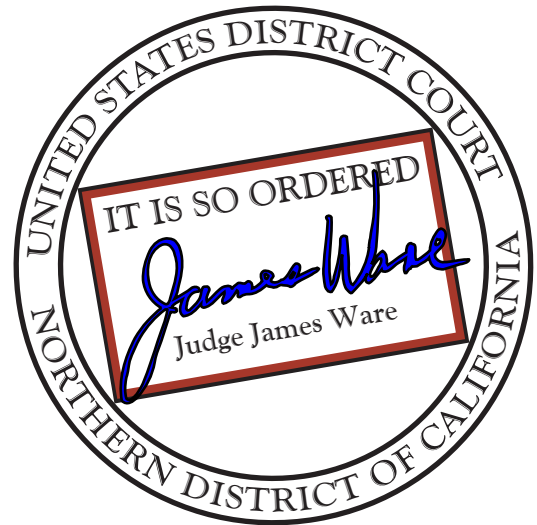


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13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN JOSE DIVISION**

17 JUAN GONZALEZ and RICARDO
 MENDOZA, individually, and on behalf
 18 of all others similarly situated,

19 Plaintiffs,

20 v.

21 DDR PARTNERS, INC. dba PACIFIC
 ATHLETIC CLUB; WESTERN
 22 ATHLETIC CLUBS, INC. dba PACIFIC
 ATHLETIC CLUB and, DOES 1-10,

23 Defendants.
 24

Case No. C 08 03814 JW

**STIPULATION TO EXTEND DEADLINE
 FOR DEFENDANT WESTERN
 ATHLETIC CLUB, INC.'S ANSWER TO
 FIRST AMENDED COMPLAINT**

Civil Local Rule 6-1(a)

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1 Pursuant to Civil Local Rule 6-1(a), Plaintiffs Juan Gonzalez and Ricardo Mendoza
2 (“Plaintiffs”) and Defendants DDR Parterns, Inc. (“DDR”) and Western Athletic Club, Inc.
3 (“WAC”) (Plaintiffs and Defendants are referred to collectively as the “Parties”), through their
4 respective counsel, hereby stipulate and agree to the following:

5 1. WAC was served with a summons and copy of the first amended complaint, in
6 which it was named as a defendant for the first time, on April 24, 2009. Based upon the date of
7 service, WAC’s deadline to file a responsive pleading is May 14, 2009.

8 2. The Parties have agreed to mediate this action on May 27, 2009, before Court
9 appointed mediator Andria Knapp.

10 3. In an effort to avoid unnecessary time and expense prior to mediation, the Parties
11 have agreed to extend the date by which WAC must file an answer to the first amended complaint
12 by three (3) weeks. The new deadline will be June 4, 2009. This change will not alter the date of
13 any event or any deadline already fixed by Court order. This extension applies only to the
14 deadline for filing an answer.

15 4. WAC represents that it will not file a motion to dismiss or otherwise respond to the
16 first amended complaint with any type of pleading other than an answer. In the event that this
17 action is not resolved prior to the new deadline agreed upon by the Parties, WAC will file an
18 answer to the first amended complaint by no later than **June 4, 2009**.

19 Dated: May 12, 2009

LAW OFFICES OF ADAM WANG

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/s/

ADAM WANG
Attorneys for Plaintiffs

23 Dated: May 12, 2009

MORGAN LEWIS & BOCKIUS

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/s/

STEVEN K. GANOTIS
Attorneys for Defendants