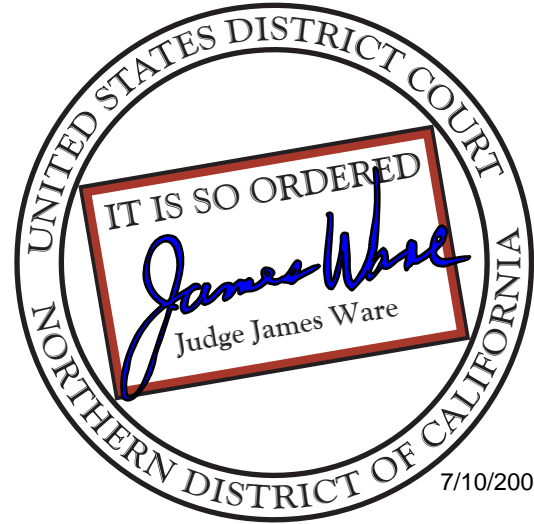


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13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN JOSE DIVISION**

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 TO
 AUGUST 5, 2009**

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’s answer to the first amended complaint was originally due by May 14, 2009.

6 2. Because the Parties were preparing for mediation on May 27, 2009, the Parties
7 agreed to extend the date by which WAC was required to file an answer to the first amended
8 complaint. The Parties’ stipulation, which was filed on May 12, 2009, and signed by the Court on
9 May 13, 2009, extended the deadline to June 4, 2009.

10 3. On May 27, 2009, the Parties attended a mediation and reached a tentative
11 agreement to resolve the action in its entirety. While drafting the settlement agreement and
12 stipulation for dismissal, the Parties filed a stipulation to extend the deadline for WAC to respond
13 to the first amended complaint from June 4, 2009 to July 6, 2009, which the Court signed on June
14 10, 2009.

15 4. The Parties have completed drafting the settlement documents and one of the two
16 plaintiffs has signed the agreement. However, the other plaintiff has not responded to various
17 communications and correspondences, has not yet been able to sign the settlement agreement and
18 will not be able to do so prior to July 6, 2009. Accordingly, to avoid unnecessary expenses, the
19 Parties have agreed to further extend the date by which WAC must file an answer to the first
20 amended complaint to **August 5, 2009**. This change will not alter the date of any event or any
21 deadline already fixed by Court order, other than the previous deadline for WAC’s answer.

22 Dated: July 1, 2009

LAW OFFICES OF ADAM WANG

23 /s/

24 _____
ADAM WANG

Attorneys for Plaintiffs

25
26 Dated: July 1, 2009

MORGAN LEWIS & BOCKIUS

27 /s/

28 _____
STEVEN K. GANOTIS

Attorneys for Defendants