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****E-Filed 10/28/2009****

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ERIC ROSS and BRADLEY S. HURETH,

Plaintiffs,

v.

TREX COMPANY, INC., a Delaware
corporation,

Defendant.

Case No. 5:09-CV-00670-JF

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME**

WHEREAS, the deadline for any objections or oppositions to the motion for final approval of the proposed Settlement or the motion for attorney’s fees and costs was October 9, 2009;

WHEREAS, the Court permitted plaintiffs in a related case, *Okano, et al. v. Trex Company, Inc.*, No. 5:09-cv-1878 (N.D. Cal.), to file their objections on Tuesday, October 13, 2009, with electronic service to the parties in the above-captioned case on Monday, October 12, 2009;

WHEREAS, by three separate emails to accommodate the size of the files, *Okano* counsel served the Elizabeth A. Alexander, counsel for *Ross* plaintiffs, and Patrick Perrone, counsel for Trex, with their objection and supporting papers on Monday, October 12, 2009

1 between 5:14 CST/6:14 EST and 5:23 CST/6:23 EST, and filed the papers on the morning of
2 October 13, 2009;

3 WHEREAS, the deadline for any reply memorandum in support of the motion for
4 final approval is Friday, October 16, 2009, which is four Court days from the service of the
5 *Okano* objection and only three days from its filing;

6 WHEREAS, Counsel for the Plaintiffs and Trex seek a one court day extension of
7 the deadline for the filing of any reply memoranda, taking the deadline to Monday, October 19,
8 2009, which would allow one week to respond to the objection, as contemplated by the Local
9 Rules and the Settlement Agreement;

10 WHEREAS, the undersigned counsel, on behalf of their respective clients, do not
11 object to the extension;

12 IT IS SO STIPULATED THAT the deadline for the filing of any reply memoranda
13 in support of the motions for final approval and attorneys' fees and costs shall be extended to
14 Monday, October 19, 2009.

15
16 Dated: October 13, 2009

LIEFF, CABRASER, HEIMANN &
BERNSTEIN, LLP

/s/ Jonathan D. Selbin

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*Attorneys for Plaintiff Eric Ross and Bradley
Hureth and the Proposed Class*

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Dated: October 13, 2009

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Attorneys for Plaintiffs Mark Okano and Sharon Ding

Dated: October 13, 2009


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Attorneys for Defendant

PURSUANT TO SUCH STIPULATION, IT IS SO ORDERED.

Dated: October 22, 2009



HONORABLE JEREMY FOGEL
United States District Court Judge