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 and Counterdefendants

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13 **SAN JOSE DIVISION**

14 GUIFU LI, MENG YANG, FANG DAI,
 LIN CUI, and ZHONG YU on behalf of
 themselves and all others similarly situated,
 15
 16 Plaintiffs,
 vs.
 17 A PERFECT DAY FRANCHISE, INC., a
 California corporation, *et al.*,
 18
 19 Defendants.

Case No. CV 10-01189 LHK (PSG)

CLASS ACTION

**STIPULATION AND ~~PROPOSED~~ ORDER TO
 ENLARGE BRIEFING SCHEDULE ON
 DEFENDANT’S MOTION TO DISMISS
 (DKT. 283)**

20
 21 MINJIAN HAND HEALING INSTITUTE,
 INC., a California corporation,
 22
 23 Counterclaimant,
 vs.
 24 FANG DAI, and individual; ZHONG YU, an
 individual; LIN CUI, and individual; and
 25 DOES 11-30, inclusive,
 26
 27 Counterdefendants.

Courtroom: 4, 5th Floor
 Judge: Hon. Lucy H. Koh

Complaint Filed: March 22, 2010

1 WHEREAS on November 2, 2011, Defendants' filed a Motion to Dismiss (Dkt. 283), which,
2 pursuant to Local Rule 7-3, set the briefing and hearing schedule as follows:

- 3 • Opposition Due November 16, 2011
- 4 • Reply Due November 23, 2011
- 5 • Hearing date January 5, 2012

6 WHEREAS on November 11, 2011 the parties submitted a Stipulation and Proposed Order to
7 Enlarge the Briefing Schedule on Defendant's Motion to Dismiss (Dkt. 293), which the Court
8 granted on November 14, 2011 (Dkt. 295) as follows:

- 9 • Opposition Due November 23, 2011
- 10 • Reply Due December 7, 2011

11 WHEREAS on November 14, 2011 (the same day the Court granted the extension), the Court
12 issued a notice continuing the motion hearing date from January 5, 2012 to February 9, 2012 to
13 correspond with the hearing date for dispositive motions. (Dkt. 294.)

14 WHEREAS the discovery cut-off in this case is set for December 2, 2011. (Dkt. 254.)

15 WHEREAS the parties have been actively engaged in discovery in anticipation of the
16 discovery deadline. The parties have noticed and subpoenaed multiple depositions to occur during
17 the month of November, 2011 and are actively setting additional depositions. The parties have also
18 filed several motions to compel which are pending before the Court and for which a hearing has
19 been set on November 21, 2011.

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1 IT IS HEREBY STIPULATED by and between the parties, through their respective attorneys
2 of record, that the briefing schedule on Defendants' Motion to Dismiss (Dkt. 283) shall be amended
3 as follows:

- 4 • Opposition Due December 21, 2011
- 5 • Reply Due January 11, 2012

6 Dated: November 17, 2011

DUCKWORTH PETERS LEBOWITZ OLIVIER LLP

7 THE STURDEVANT LAW FIRM
8 A Professional Corporation

9 By: /s/ Monique Olivier
10 Monique Olivier

11 Attorneys for Plaintiffs and the Putative Class and
12 Counterdefendants

13 Dated: November 17, 2011

LAW OFFICES OF RICHARD WAHNG

14 By: /s/ Lee E. Sheldon
15 Lee Edwin Sheldon
16 Attorneys for Defendants and Counterclaimant

17 **ATTESTATION UNDER GENERAL ORDER 45**

18 I, Monique Olivier, am the ECF user whose ID and password are being used to file this
19 STIPULATION AND [PROPOSED] ORDER TO ENLARGE BRIEFING SCHEDULE ON
20 DEFENDANTS' MOTION TO DISMISS (DKT. 283). In compliance with General Order 45, I
21 hereby attest that Lee Sheldon, counsel for Defendants, has concurred in this filing.

22 Dated: November 17, 2011

/s/ Monique Olivier
23 Monique Olivier

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

The briefing schedule on Defendants' Motion to Dismiss (Dkt. 283) shall be amended as follows:

- Opposition Due December 21, 2011
- Reply Due January 11, 2012

DATED: November 17, 2011

By: 
HONORABLE LUCY H. KOH
United States District Judge