

**** E-filed January 28, 2011 ****

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7 Attorneys for Defendant
 US Airways, Inc.

8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **SAN JOSE DIVISION**

12 HAYLEY HICKCOX-HUFFMAN, on
 behalf of herself and all others similarly
 13 situated
 14 **Plaintiff,**
 15 vs.
 16 US AIRWAYS, INC., and DOES 1 through
 17 10, inclusive.
 18 **Defendants.**

Case No. CV 10-05193 HRL
**STIPULATION REQUESTING ORDER
 AMENDING BRIEFING SCHEDULE RE
 MOTION TO DISMISS FIRST AMENDED
 COMPLAINT; ~~PROPOSED~~ ORDER**
(LOCAL RULES 6-2; 7-12)

21 **RECITALS**

22 WHEREAS, On January 21, 2011, Plaintiff and Defendant filed a stipulation requesting
 24 this Court to continue the Case Management Conference previously set for Tuesday, January 25,
 25 2011, and to approve a stipulated briefing schedule setting a deadline for Plaintiff to file a First
 26 Amended Complaint ("FAC"), and setting briefing and hearing deadlines for Defendant's
 27 anticipated motion to dismiss the FAC. Document 17.

1 WHEREAS, on January 24, 2011, the Court approved the parties' stipulation. Document
2 18. The stipulation as approved by the court sets the following deadlines for Defendant's motion
3 to dismiss the FAC:

4 02/14/11 Defendant shall respond to the FAC
5 03/10/11 Plaintiff shall file its Opposition to any Motion to Dismiss
6 03/21/11 Defendant shall file a Reply
7 04/05/11 Hearing on any Motion to Dismiss at 10:00 a.m.
8 4/26/11 Case Management Conference at 1:30 p.m.

9 WHEREAS, it has come to the parties' attention that, as a result of an inadvertent error,
10 the stipulation that was filed with the Court on January 21, 2011 (Document 17) contained dates
11 for the motion to dismiss briefing and hearing schedule that were not precisely the dates the
12 parties agreed upon. The correct dates are as follows:

13 02/18/11 Defendant shall respond to the FAC
14 03/14/11 Plaintiff shall file its Opposition to any Motion to Dismiss
15 03/25/11 Defendant shall file a Reply
16 04/12/11 Hearing on any Motion to Dismiss at 10:00 a.m.

17 WHEREAS, the parties hereby request that the Court issue an order approving the
18 briefing schedule actually agreed upon by the parties. The stipulated briefing schedule results in
19 a brief extension of four days for Defendant to respond to the FAC, for Plaintiffs to respond to
20 the motion, and for Defendant to file a reply. It further moves the hearing date by one week,
21 from April 5, 2011, to April 12, 2011. This brief continuance will not interfere with any
22 motions, hearings or other deadlines currently on calendar and will not require any further
23 continuance of the Case Management Conference, which is currently set for April 26, 2011.

24 **STIPULATION**

25 Based on the foregoing,

26 IT IS HEREBY STIPULATED AND AGREED, pursuant to Civil Local Rule 6-2, by
27 and between counsel for Plaintiff, Hayley Hickcox-Huffman, and counsel for Defendant, US
Airways, Inc., as follows:

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<u>Date</u>	<u>Event</u>
02/18/11	Defendant shall respond to the FAC
03/14/11	Plaintiff shall file its Opposition to any Motion to Dismiss
03/25/11	Defendant shall file a Reply
04/12/11	Hearing on any Motion to Dismiss at 10:00 a.m.
4/26/11	Case Management Conference at 1:30 p.m.

Dated: January 26, 2010.

FOLEY BEZEK BEHLE & CURTIS, LLP
LAW OFFICES OF WILLIAM M. ARON

By: /s/ Justin P. Karczag
Thomas G. Foley, Jr.
Roger N. Behle, Jr.
Justin P. Karczag
William M. Aron
Attorney for Plaintiff
Hayley Hickcox-Huffman


Dated: January 26, 2010.

O'MELVENY & MYERS LLP

By: /s/ Jessica B. Hardy
Robert A. Siegel
Michael G. McGuinness
Jessica B. Hardy
Attorneys for Defendant
US Airways, Inc.

IT IS SO ORDERED.

DATE: January 28, 2011


Magistrate Judge Howard R. Lloyd