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7-ELEVEN, INC.

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

11 SCOTT BISHOP, individually and on behalf  
of all others similarly situated,

12 Plaintiff,

13 v.

14 7-ELEVEN, INC.,

15 Defendant.

Case No.: 5:12-cv-02621 EJD

**STIPULATION AND [~~PROPOSED~~]  
ORDER EXTENDING TIME TO  
RESPOND TO AMENDED COMPLAINT  
AND SETTING A BRIEFING SCHEDULE**

1 The parties to this action, through their respective attorneys of record herein, enter into this  
2 Stipulation subject to the Court's approval, with reference to the following circumstances:

3 1. Plaintiff Scott Bishop ("Plaintiff") filed his Amended Complaint on September 17,  
4 2012. Defendant 7-Eleven, Inc. ("Defendant") presently has until October 1, 2012 to respond or  
5 otherwise plead to the Amended Complaint.

6 2. Defendant intends to move to dismiss the Amended Complaint.

7 3. The parties seek an extended briefing schedule for Defendant's motion to dismiss the  
8 Amended Complaint.

9 Accordingly, IT IS HEREBY STIPULATED AND AGREED between the parties, pursuant  
10 to Local Rule 6-2, that:

11 1. Defendant's motion to dismiss will be filed on or before October 29, 2012.

12 2. Plaintiff's opposition will be filed on or before November 30, 2012.

13 3. Defendant's reply will be filed on or before December 14, 2012.

14 4. A hearing on the motion will be noticed for 9:00 a.m. on January 18, 2013.

15 **IT IS SO STIPULATED.**

16 Dated: September 20, 2012.

ARNOLD & PORTER LLP

17  
18 By: /s/ Angel A. Garganta

19 Angel A. Garganta  
20 Attorneys for Defendant  
7-ELEVEN, INC.

21 Dated: September 20, 2012.

PRATT & ASSOCIATES

22  
23 By: /s/ Ben F. Pierce Gore

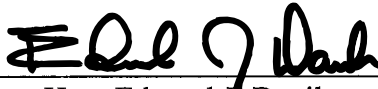
24 Ben F. Pierce Gore  
25 Attorneys for Plaintiff  
SCOTT BISHOP

26  
27 Pursuant to General Order No. 45, § X-B, the filer attests that the concurrence in the filing  
28 of this document has been obtained from the above signatories.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

The Motion to Dismiss (Docket Item No. 11) is terminated as MOOT.

Dated: 9/24/2012



Hon. Edward J. Davila

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