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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

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13 CHRIS WERDEBAUGH, individually and
 on behalf of all others similarly situated,
 14
 Plaintiff,
 15
 v.
 16 BLUE DIAMOND GROWERS,
 17
 Defendant.
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CASE NO. CV12-02724-LHK
**STIPULATION AND [PROPOSED]
 ORDER CONTINUING SEPTEMBER 12,
 2012 CASE MANAGEMENT
 CONFERENCE**

19 Pursuant to Civil Local Rules 6-2 and 16-2(e), Plaintiff Chris Werdebaugh, on
 20 behalf of himself and all others similarly situated, and Defendant Blue Diamond Growers
 21 ("Blue Diamond"), through their undersigned counsel, hereby stipulate as follows:

22 WHEREAS, Blue Diamond was served with the summons and plaintiff's complaint
 23 (the "Complaint") on June 28, 2012;

24 WHEREAS, pursuant to the parties' two prior stipulations, the current deadline for
 25 Blue Diamond to answer or otherwise respond to the Complaint is September 4, 2012;

26 WHEREAS, pursuant to Federal Rule of Civil Procedure 26, the current deadline
 27 for the parties to submit their Joint Case Management Statement and to exchange initial
 28 disclosures is September 5, 2012;

1 WHEREAS, the initial case management conference is currently scheduled for
2 September 12, 2012 at 2:00 p.m.;

3 WHEREAS, given that Blue Diamond's responsive pleading is due just one day
4 before the parties' Joint Case Management Statement is due, the parties agree that
5 additional time is needed to meet and confer to prepare their Joint Case Management
6 Statement, to prepare their initial disclosures, and to otherwise prepare for the initial case
7 management conference;

8 WHEREAS, the date of the initial case management conference has not
9 previously been adjusted;

10 THEREFORE, the parties stipulate and agree, and respectfully request the Court
11 to order, as follows:

12 The initial case management conference is continued to **October 24, 2012 at 2:00**
13 **p.m.** All related deadlines, including those deadlines for completing the 26(f) conference,
14 the Joint Case Management Statement, and initial disclosures, are extended accordingly.

15
16 DATED: August 24, 2012

HANSON BRIDGETT LLP

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By: /S/ Megan Oliver Thompson¹

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LAWRENCE M. CIRELLI

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SUSAN G. O'NEILL

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MEGAN OLIVER THOMPSON

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GEOFFREY R. PITTMAN

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Attorneys for Blue Diamond Growers

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¹ Pursuant to Local Rule 5-1(i)(3), I, Megan Oliver Thompson - the ECF User whose User ID and Password are used in the filing of this Stipulation Continuing September 12, 2012 Case Management Conference - hereby attest that concurrence in the filing of this document has been obtained from each of its signatories.

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DATED: August 24, 2012

Ben F. Pierce Gore
PRATT & ASSOCIATES
1901 S. Bascom Avenue, Suite 350
Campbell, CA 95008

By: /s/ Ben Pierce Gore
BEN F. PIERCE GORE
Attorney for Plaintiff

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: August 28, 2012


HONORABLE LUCY H. KOH