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Attorneys for Plaintiff JESSICA SANCHEZ

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

**JESSICA SANCHEZ, on behalf of
herself and all others similarly
situated,**

Plaintiff,

v.

**AEROGROUP RETAIL
HOLDINGS, INC., Delaware
Corporation doing business in
California,**

Defendants.

Case No.: CV12-05445 LHK

CLASS ACTION

**STIPULATION AND ~~(PROPOSED)~~
ORDER TO ALLOW PLAINTIFF
TO FILE LIMITED SURREPLY**

First Amended Complaint Filed:
September 20, 2012

1 Plaintiff Jessica Sanchez and Defendant Aerogroup Retail Holdings, Inc.,
2 by and through their respective counsel, enter into the following stipulation:

3 1. Whereas Plaintiff's counsel has communicated to Defendant's counsel their
4 intent to seek leave to file a surreply to Defendant's Motion to Dismiss
5 addressing the timeliness of Plaintiff's Opposition and the statements by
6 Plaintiff's counsel regarding entering into a stipulation to allow Defendant
7 additional time to file its Reply in Support of Its Motion to Dismiss;
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9 2. Whereas Defendant does not object to the Court granting leave to Plaintiff to
10 file the proposed surreply;
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1 3. Therefore, the parties agree that Plaintiff be granted leave to file said
2 surreply.

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4 Pursuant to LR 5-1(i), concurrence in the filing of this document has
5 been obtained from the other signatory.

Dated December 6, 2012 The Law Offices Of Scott A. Miller	Dated December 6, 2012 SCHIFF HARDIN, LLP
By: <u>/s/ Kelly Ann Buschman</u> Kelly Ann Buschman Attorneys for Plaintiff	By: <u>/s/ William J. Carroll</u> William J. Carroll Attorneys for Defendant

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13 **~~PROPOSED~~ ORDER**

14 Pursuant to the stipulation, Plaintiff shall be granted leave to file a one page surreply
15 addressing the timeliness of Plaintiff's Opposition and the statements by Plaintiff's counsel
16 regarding entering into a stipulation to allow Defendant additional time to file Defendant's
17 Reply in Support of its Motion to Dismiss. Plaintiff shall file her surreply by December
18 13, 2012.

19 Date: December 11, 2012

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Lucy H. Koh
United States District Judge