

1 SUSAN M. HACK, ESQ. (Bar No. 145347)
 2 STEPHEN T. PELLETIER, ESQ. (Bar No. 231236)
 3 HIGGS, FLETCHER & MACK LLP
 4 401 West A Street, Suite 2600
 San Diego, CA 92101-7913
 TEL: 619.236.1551
 FAX: 619.696.1410

5 Attorneys for Defendant
 6 MENU FOODS HOLDING, INC.

7
 8 **UNITED STATES DISTRICT COURT**
 9 **SOUTHERN DISTRICT OF CALIFORNIA**

11 DIANE SWARBERG, individually and on
 12 behalf of all others similarly situated,

13 Plaintiffs,

14 v.

15 MENU FOODS HOLDING, INC.,
 16 THE IAMS COMPANY, and
 DOES 1 through 100, inclusive,

17 Defendants.

CASE NO. 07cv0706 BTM (POR)

**JOINT MOTION FOR EXTENSION OF
 TIME TO FILE RESPONSIVE PLEADING**

Honorable Barry T. Moskowitz
 Courtroom: 15

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 19 Pursuant to CivLR 12.1 of the Local Rules of Practice for United States District Court,
 20 Southern District of California, Defendant MENU FOODS HOLDINGS, INC., hereinafter
 21 referred to as "MENU FOODS" and Plaintiff DIANE SWARBERG ("Plaintiff"), hereby jointly
 22 move for an order extending the time for Defendant MENU FOODS to file its response to
 23 Plaintiff's Complaint. The parties jointly request that the deadline for filing Defendant's First
 24 Responsive pleading be extended from April 27, 2007 to June 11, 2007.

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1 Good cause exists for granting an extension. Defendant has just retained counsel, Higgs,
2 Fletcher & Mack LLP, and counsel needs time to review the facts and allegations in order to
3 prepare a proper response. The case was only recently removed from State to Federal Court on
4 April 18, 2007, by Defendant MENU FOODS, and is a class action involving multiple parties.

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6 IT IS SO STIPULATED.

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8 DATED: April 27, 2007

HIGGS, FLETCHER & MACK LLP

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10 By: s/Stephen T. Pelletier
11 SUSAN M. HACK, ESQ.
12 STEPHEN T. PELLETIER, ESQ.
13 Attorneys for Defendant
14 MENU FOODS

15
16 DATED: April 27, 2007

BERDING & WEIL, LLP

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18 By: s/Jeffrey B. Cereghino
19 JEFFREY B. CEREGHINO, ESQ.
20 Attorneys for Plaintiff
21 DIANE SWARBERG

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ORDER

PURSUANT TO STIPULATION AND FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

Dated: _____

The Honorable Barry T. Moskowitz
DISTRICT COURT JUDGE

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CERTIFICATE OF SERVICE

I certify that on April 27, 2007, I caused the following document:

JOINT MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING

to be filed electronically with the Clerk of Court through ECF.

I further certify that I caused a copy of the foregoing document and the notice of electronic mailing to be mailed by first class mail, postage prepaid, to the following non-ECF participants:

Jeffrey B Cereghino
Berding and Weil
3240 Stone Valley Road West
Alamo, CA 94507
(925)838-2090
Fax: (925)820-5592

Don Howarth
Howarth and Smith
523 West Sixth Street
Suite 728
Los Angeles, CA 90014
(213)955-9400
Email: dhowarth@howarth-smith.com

Date: April 27, 2007 s/Marianne Boyles