

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

DENNIS THIERET, RONALD L.
BUCKNER, DAVID S. BENGEL, DAVID D.
McDONALD, MICHAEL CALLAHAN,
MICHAEL D. DRAZICH, JOHN FARR,
CHARLES LEGEZA, RONALD PERRIS,
ERIC DeFAZIO, JOHN BRADFORD,
RONALD LAWRENCE, DAVID M.
NELSON, DAVE SIMPSON, FRANK
CORNICOLA, SCOTT URQUAHANT, DAVID
CORNELIUS, DALTON MINERD,
JEFFREY B. WHITFORD, MARK A.
SUTHERIN, JR., RANDY DEVER, ROBERT
THOMAS, MATTHEW RALSTON, PAT
GOLDEN, DAVID H. HANEY, ERIC L.
GROH, DAVID M. STITT, ROBERT
SMITH, BRIAN GEISER, MICHAEL
SCHUBERT, KEVIN E. SWEENEY,
CHRISTIAN MARINI, THOMAS L.
HANDERHAN, MICHAEL HARTLE and
ARTHUR GOLDBERG,

Plaintiffs,

v.

BOTTLING GROUP, LLC,

Defendant.

Case No. 2:11-cv-00644-GLL

Assigned to: Hon. Gary L. Lancaster

Complaint Filed: May 13, 2011

**STIPULATION TO EXTEND TIME TO FILE
AMENDED PLEADINGS AND/OR TO JOIN PARTIES**

Plaintiffs and Defendant Bottling Group, LLC, collectively the "Parties," hereby stipulate and agree as follows:

WHEREAS, on November 18, 2011, the Court issued an Initial Scheduling Order setting the deadline for filing amended pleadings and/or to join parties as December 14, 2011 (Doc. 31);

WHEREAS, the Parties are scheduled to attend mediation in this matter on January 4, 2012 with Louis B. Kushner (Doc. 28);

WHEREAS, if the matter does not settle at mediation, Defendant may need to join in this action the union representing the Plaintiffs – the General Teamsters, Chauffeurs, and Helpers Local 249;

WHEREAS, the Parties request that the deadline for filing amended pleadings and/or to join parties be extended to a time after the January 4, 2012 mediation;

WHEREAS, the Parties request that the deadline for filing amended pleadings and/or to join parties be extended 30 days, or until January 13, 2012, in order to provide the Parties sufficient time to add parties and/or amend pleadings should the settlement process break down after the January 4, 2012 mediation;

WHEREAS, the Parties believe no other deadlines in the Court's November 18, 2011 Scheduling Order will be impacted by the requested 30 day extension;

NOW THEREFORE, the Parties agree and stipulate that the deadline for filing amended pleadings and/or to join parties should be extended 30 days, or until January 13, 2012.

IT IS SO STIPULATED.

Dated: December 13, 2011

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By /s/ Samantha D. Hardy
SAMANTHA D. HARDY
501 West Broadway, 19th Floor
San Diego, California 92101
Tel: 619-338-6640
Fax: 619-234-3815
shardy@sheppardmullin.com
Attorneys for Defendant BOTTLING GROUP, LLC
dba PBC.

Dated: December 13, 2011

JUBELIRER, PASS & INTRIERI, P.C.

By /s/ Ernest B. Orsatti
Ernest B. Orsatti
219 Fort Pitt Boulevard
Pittsburgh, Pennsylvania 15222
Tel: 412-281-3850
Fax: 412-281-1985
ebo@jpilaw.com

Attorneys for Plaintiffs.

SO ORDERED, this 13th day of DECEMBER, 2011.

Gary L. Lancaster
Hon. Gary L. Lancaster
Chief United States District Judge