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[Additional counsel for all parties listed on signature page]

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 VERONICA BRENNER, on behalf of
15 herself and all others similarly situated,

16 Plaintiff,

17 v.

18 PROCTER & GAMBLE CO.,

19 Defendant.

Case No. 8:16-cv-1093 JLS-JCG

**STIPULATION TO
CONSOLIDATE**

Complaint Served: June 21, 2016

20 ANGELA BENAGAS, on behalf of
21 herself and all others similarly situated,

22 Plaintiff,

23 v.

24 THE PROCTER & GAMBLE
25 COMPANY an Ohio corporation,

26 Defendant.

Case No. 8:16-cv-01816-JLS-JCG

Complaint Served: July 25, 2016

1 TO THE COURT AND ALL PARTIES AND COUNSEL:

2 Pursuant to Rule 42(a)(2) of the Federal Rules of Civil Procedure, Plaintiff
3 Veronica Brenner, Plaintiff Angela Banegas, and Defendant The Procter & Gamble
4 Company (“P&G” and together with Ms. Brenner and Ms. Banegas, the “Parties”)
5 stipulate as follows:

6 **WHEREAS**, Ms. Brenner served P&G with her Complaint on June 21, 2016
7 in an action styled as *Brenner v. The Procter & Gamble Company*, No. 8:16-cv-
8 01093-JLS-JCGx (C.D. Cal.) (the “*Brenner Action*”);

9 **WHEREAS**, the Court entered its order on P&G’s motion to dismiss or stay
10 the *Brenner Action* on October 20, 2016;

11 **WHEREAS**, an action asserting common questions of law and fact styled as
12 *Banegas v. The Procter & Gamble Co.*, No. 8:16-cv-1816-JLS-JCGx (C.D. Cal.) (the
13 “*Banegas Action*”) was transferred from the South District of Florida to the Central
14 District of California on September 29, 2016;

15 **WHEREAS**, the *Banegas Action* was reassigned from Judge Terry J. Hatter
16 and Magistrate Judge Alka Sagar to Judge Josephine L. Staton and Maistrate Judge
17 Jay C. Gandhi for all further proceedings;

18 **WHEREAS**, in the interest of judicial efficiency, the Parties believe that the
19 *Brenner Action* and *Banegas Action* should be consolidated;

20 **WHEREAS**, P&G has agreed to not move to dismiss the consolidated
21 complaint so long as the claims, theories, and allegations from either complaint
22 remain the same, but reserves the right to move to dismiss if the consolidated
23 complaint adds any claims, theories, or allegations not currently present in either
24 complaint;

25 **NOW, THEREFORE**, The Parties hereby stipulate that

- 26 1. The *Brenner Action* and the *Banegas Action* shall be consolidated, and
27 shall bear the current caption and case number of the *Brenner Action*;

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- 2. Ms. *Brenner* and Ms. *Banegas* shall file a consolidated complaint within 14 days of the entry of an order consolidating the actions;
- 3. P&G shall file its response to the consolidated complaint within 30 days of service thereof;
- 4. P&G shall not file a motion to dismiss the consolidated complaint unless it adds any claims, theories, or allegations not currently present in the either complaint from the *Brenner* Action and the *Banegas* Action; P&G may otherwise file a motion to dismiss if the consolidated complaint adds such new claims, theories, or allegations;
- 5. In the interest of efficiency, P&G shall not be required to answer the current complaints in the *Brenner* Action and the *Banegas* Action.

Dated: October 27, 2016

Respectfully submitted,

BURSOR & FISHER, P.A.

By: /s/ L. Timothy Fisher
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Counsel for Plaintiff Angela Banegas

Dated: October 27, 2016

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