WHEREAS, on May 18, 2015, the Court ordered that the parties file a joint supplementary brief by within fourteen days thereof (i.e, by Monday, June 1, 2015) and ordered the parties to attend oral argument on Tuesday, June 9, 2015 at 9:30 A.M. (Dkt. No. 215); WHEREAS, three out of four of Defendants' attorneys are in trial in Washington, D.C., and expect to be in trial in Washington, D.C., through approximately June 1, 2015;

WHEREAS, Defendants' lead counsel is scheduled to attend a full-day mediation on June 9, 2015;

WHEREAS, the parties met and conferred in good faith and agreed that a twoweek extension of the briefing deadline and hearing date would be appropriate to accommodate Defendants' counsel's scheduling conflicts;

WHEREAS, a two-week extension of the briefing deadline and hearing date would not alter any other deadlines set by the Court in this matter;

**NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the parties, through the undersigned counsel, as follows: Upon the Court's approval, the deadline for the parties to file the join supplementary brief ordered by Dkt. No. 215 shall be Monday, June 15, 2015, and the oral argument ordered by Dkt. No. 215 shall be held on Tuesday, June 23, 2015 at 9:30 A.M.

IT IS SO STIPULATED.

Respectfully submitted,

Dated: May 19, 2015 MUNGER TOLLES & OLSON LLP

By: /s/ KELLY M. KLAUS KELLY M. KLAUS

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16	Dated: May 10, 2015 WOLF HALDENSTEIN ADLER	
16 17	Dated: May 19, 2015 WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLP	
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17 18 19 20 21 22 23 24 25 26	By: /s/ BETSY C. MANIFOLD  BETSY C. MANIFOLD  FRANCIS M. GREGOREK gregorek@whafh.com BETSY C. MANIFOLD manifold@whafh.com RACHELE R. RICKERT rickert@whafh.com MARISA C. LIVESAY livesay@whafh.com 750 B Street, Suite 2770	

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ANDREW S. MACKAY (197074) 1 andrew@donahue.com 2 DANIEL J. SCHACHT (259717) daniel@donahue.com 3 1999 Harrison Street, 25<sup>th</sup> Floor 4 Oakland, CA 94612-3520 Telephone: 510/451-0544 5 Facsimile: 510/832-1486 6 7 **GLANCY BINKOW &** GOLDBERG LLP 8 LIONEL Z. GLANCY (134180) 9 lglancy@glancylaw.com MARC L. GODINO (188669) 10 mgodino@glancylaw.com 11 1925 Century Park East, Suite 2100 12 Los Angeles, CA 90067 Telephone: 310/201-9150 13 Facsimile: 310/201-9160 14 Attorneys for Plaintiffs 15 16 DECLARATION REGARDING CONCURRENCE 17 I, Kelly M. Klaus, am the ECF User whose identification and password are 18 being used to file this JOINT STIPULATION TO EXTEND TIME FOR FILING 19 OF FURTHER BRIEFING ORDERED BY DKT. NO. 215 AND TO 20 CONTINUE THE HEARING DATE SET BY DKT. NO. 215; AND 21 [PROPOSED] ORDER GRANTING STIPULATION. In compliance with L.R. 22 5-4.3.4, I hereby attest that I hereby attest that Betsy C. Manifold has concurred in 23 this filing's content and has authorized its filing. 24 25 Dated: May 19, 2015 /s/ KEL<u>LY M. KLAUS</u> By: KELLY M. KLAUS 26 27

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#### **DECLARATION OF KELLY M. KLAUS**

- 1. I, Kelly M. Klaus, hereby declare as follows:
- 2. I am a member of the firm Munger, Tolles & Olson LLP, counsel for Defendants in the above-captioned action. I am admitted to practice law in the State of California and before this Court. I submit this declaration in support of the parties' Joint Stipulation to Extend Time for Filing of Further Briefing Ordered by Dkt. No. 215 and to Continue the Hearing Date Set by Dkt. No. 215. Except where indicated below in paragraph 6, I have personal knowledge of the facts stated herein. If called upon to testify to the facts as to which I have person knowledge, I could, and would, competently do so.
- 3. On May 18, 2015, the Court ordered that the parties file a joint supplementary brief by within fourteen days thereof (*i.e*, by Monday, June 1, 2015) and ordered the parties to attend oral argument on Tuesday, June 9, 2015 at 9:30 A.M. (Dkt. No. 215).
- 4. Glenn Pomerantz, Melinda LeMoine and I are currently in trial in Washington, D.C., and we expect to remain in trial in Washington, D.C., through approximately June 1, 2015.
  - 5. I am scheduled to attend a full-day mediation on June 9, 2015.
- 6. I am informed and believe that my colleague, Adam Kaplan, met and conferred with Plaintiffs' counsel regarding the briefing schedule and hearing date set by the Court on May 18, 2015 (Dkt. No. 215), and that Plaintiffs' counsel agreed that a two-week extension of the briefing deadline and hearing date would be appropriate in light of Defendants' counsel's scheduling conflicts.
- 7. A two-week extension of the briefing deadline and hearing date would not alter any other deadlines set by the Court in this matter

8. For the foregoing reasons, the parties have shown good cause for a two-week extension of the briefing deadline and hearing date set by the Court on May 18, 2015 (Dkt. No. 215).

I declare under penalty of perjury that the foregoing is true and correct. Executed this 19th day of May 2015, Washington, D.C.

/s/ KELLY M. KLAUS KELLY M. KLAUS