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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

MATTHEW ELVEY, an individual, and  
 GADGETWIZ, INC., an Arizona  
 corporation, on their own behalf and on  
 behalf of all others similarly situated,

Plaintiffs

v.

TD AMERITRADE, INC., a New York  
 corporation, and DOES 1 to 100,

Defendants.

Case No. C-07-2852 MJJ

**[PROPOSED] ORDER GRANTING  
 MOTION FOR EXTENSION OF TIME  
 TO FILE OPPOSITION TO PLAINTIFFS’  
 MOTION FOR PRELIMINARY  
 INJUNCTION AND MOTION FOR  
 CLASS CERTIFICATION**

Hon. Martin J. Jenkins

Date: September 18, 2007  
 Time: 9:30 a.m.  
 Location: Courtroom 11, 19th Floor  
 450 Golden Gate Ave.  
 San Francisco, CA 94102

1 Having considered all the papers submitted in support of the Defendant TD Ameritrade,  
2 Inc.'s Motion For Extension Of Time To File Opposition To Plaintiffs' Motion For Preliminary  
3 Injunction And Motion For Class Certification, and finding good cause, IT IS HEREBY  
4 ORDERED that the Motion is GRANTED.

5 Defendant TD Ameritrade, Inc. shall file its opposition, if any, to Plaintiffs' Motion for  
6 Preliminary Injunction and Motion for Class Certification by Thursday, September 6, 2007.

7 Plaintiffs shall file any opposition to TD Ameritrade, Inc.'s Motion to Dismiss no later  
8 than September 11, 2007.

9 The parties shall file any reply briefs no later than September 18, 2007.

10 The court shall set Plaintiffs' Motion for Preliminary Injunction and Motion for Class  
11 Certification and TD Ameritrade, Inc.'s Motion to Dismiss for hearing on Tuesday,  
12 October 2, 2007.

13 The initial Case Management Conference remains set for October 16, 2007 at 2:00 p.m.

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15 IT IS SO ORDERED.

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17 Dated: \_\_\_\_\_, 2007

18 By: \_\_\_\_\_  
19 THE HONORABLE MARTIN J. JENKINS  
20 UNITED STATES DISTRICT COURT JUDGE  
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