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 13 Specially Appearing Defendant YAHOO!, HONG
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 15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
 17 **SAN FRANCISCO DIVISION**

18
 19 CUNZHU ZHENG, et al,
 20 Plaintiffs,
 21 v.
 22 YAHOO, INC., et al.,
 23 Defendants.

Case No. C08-01068 MMC

**STIPULATION AND ~~PROPOSED~~ ORDER
 FOR PLAINTIFFS TO FILE SECOND
 AMENDED COMPLAINT AND TO
 CHANGE TIME FOR DEFENDANTS TO
 RESPOND**

**AND ORDER SETTING DEADLINE TO
 COMPLETE MEDIATION**

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 C08-01068 MMC
 STIP. TO FILE SECOND AM. COMPL. AND
 TO CHANGE TIME FOR DEF. TO RESP.

- 1 5) Here is the prior schedule the Court had set in place:
- 2 • February 6, 2009 - Plaintiffs file Second Amended Complaint
- 3 • April 3, 2009 - Defendants file response to Second Amended Complaint
- 4 • May 8, 2009 - Tentative Hearing Date for Defendants' planned Motion to Dismiss
- 5 6) The parties submit that the proposed changes to the schedule set forth in paragraph
- 6 4 above will have a minimal impact on the overall scheduling of the case. The parties have not
- 7 previously requested a change in the briefing schedule regarding the planned Motion to Dismiss.
- 8 The Initial Case Management Conference was held on January, 16, 2009.² The next status
- 9 conference is set for July 24, 2009.

10 NOW, THEREFORE, PURSUANT TO F.R.C.P. 15 AND CIVIL LOCAL RULES 6-2, 7-

11 12 AND 10-1, IT IS HEREBY AGREED AND STIPULATED that:

12 Plaintiffs shall be permitted to file the attached Second Amended Complaint and shall do

13 so on February 27, 2009. Defendants shall respond to the Second Amended Complaint by May 1,

14 2009. In the event Defendants file a Motion to Dismiss the Second Amended Complaint, the

15 hearing on that Motion will be June 26, 2009. Plaintiffs' opposition to the motion shall be due by

16 June 5, 2009, and Defendants' reply by June 12, 2009.

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27 ² The Initial Case Management Conference was continued from June 27, 2008, to August 22,

28 2008, prior to service of Defendants; from August 22, 2008, to September 26, 2008, by joint stipulated request; from September 26, 2008, to November 21, 2008, by this Court's order, and from November 21, 2008 to January 16, 2009, by joint stipulated request.

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Dated: February 19, 2009

PATRICK J. MANSHARDT
SOUTHWESTERN LEGAL FOUNDATION

By: 
Patrick J. Manshardt
Attorney for Plaintiffs
CUNZHU ZHENG, QUAN GUO, and the
CHINA DEMOCRACY PARTY

Dated: February 19, 2009

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By: 
Daniel M. Petrocelli
Attorneys for Defendant YAHOO!, INC. and
Specially Appearing Defendant YAHOO!
HONG KONG, LTD.

ORDER (Proposed)

Pursuant to stipulation, IT IS SO ORDERED. IT IS FURTHER ORDERED that the
deadline to complete mediation is October 2, 2009.

SIGNED on the 26th day of _____ February _____, 2009.


The Honorable Maxime M. Chesney
Judge, United States District Court
for the Northern District

CC1:800465.1