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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: WEBKINZ ANTITRUST LITIGATION.

Case No. M:08-CV-01987 JSW (WDB)
MDL NO. 1987

THIS DOCUMENT RELATES TO ALL ACTIONS.

STIPULATION AND ~~(PROPOSED)~~ ORDER CONTINUING CASE MANAGEMENT CONFERENCE

Date: March 5, 2010
 Time: 1:30 p.m.
 Judge: Hon. Jeffrey S. White
 Ctrm: Courtroom 11, 19th Floor

1 Pursuant to Local Rule 6-2, Plaintiffs and Defendants Ganz, Inc. and Ganz U.S.A. LLC
2 (“Ganz”) stipulate and hereby move the Court for an order: (1) postponing the case management
3 conference (“CMC”) currently scheduled for March 5, 2010 to April 16, 2010; and (2)
4 postponing the deadline for the parties’ joint case management statement from February 26, 2010
5 to April 9, 2010.

6 WHEREAS, on January 8, 2010, the Court set a CMC previously scheduled for February
7 12, 2010 for March 5, 2010. [Doc. No. 88.] The Clerk’s Notice further stated that the parties’
8 joint case management statement must be filed no later than February 26, 2010. Subsequent to
9 the issuance of this Notice, on February 17, 2010, the Court issued an order granting Ganz’s
10 Motion to Dismiss Counts I, II, V (in part), and VII of Plaintiffs’ Consolidated Complaint with
11 leave to amend (“Order”). [Doc. No. 90.] The Court’s Order requires that Plaintiffs shall file an
12 amended consolidated complaint, if any, by March 12, 2010, and that Defendants shall have 20
13 days thereafter to file their responsive pleading. [*Id.*, p. 14.]

14 WHEREAS, Plaintiffs may file an amended consolidated complaint on or before March
15 12, 2010;

16 WHEREAS, if Plaintiffs file an amended complaint Defendants will file a responsive
17 pleading to Plaintiffs’ amended consolidated complaint on or before April 1, 2010, depending on
18 when Plaintiffs’ amended consolidated complaint is filed;

19 WHEREAS, the parties agree that it would be premature to conduct the CMC currently
20 scheduled for March 5, 2010 in light of the pending issues concerning the status of Plaintiffs’
21 amended consolidated complaint;

22 WHEREAS, the parties agree that the CMC should be postponed until after the parties’
23 briefing, if any, on Plaintiffs’ amended complaint is resolved, and request that the CMC be
24 continued to April 16, 2010. This brief continuance would allow the parties to thoroughly brief
25 the issues presented by Plaintiffs’ anticipated amended consolidated complaint, and provide the
26 Court with time to consider the parties’ pleadings in advance of the CMC.
27
28

1 IT IS THEREFORE STIPULATED, CONSENTED TO AND AGREED that the Court
2 will conduct the CMC previously noticed for March 5, 2010 on ~~April 16, 2010 at 1:30 p.m.~~
3 Accordingly, the parties' joint case management statement shall be due on or before ~~April 9,~~ May 7
4 2010.

5
6
7 Dated: February 25, 2010

COTCHETT, PITRE & McCARTHY
MATTHEW K. EDLING

8
9 /s/ Matthew K. Edling
10 Matthew K. Edling
Attorneys for Plaintiffs

11 Dated: February 25, 2010

12 BAKER & HOSTETLER LLP
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LEE H. SIMOWITZ

14
15 /s/ Lisa I. Carteen (with permission)
16 Lisa I. Carteen
Attorneys for Defendants
GANZ, INC. and GANZ U.S.A., LLC

17
18 **ORDER**

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

20
21 Dated: February 26, 2010 _____

22 
23 _____
JEFFREY S. WHITE
UNITED STATES DISTRICT COURT JUDGE

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