

MAY. 5. 2009 11:51AM IDELL & SEITEL LLP

NO. 5581 P. 2

1 Richard B. Newman (#195191)
2 Klein Zelman Rothermel LLP
3 485 Madison Avenue - 15th floor
4 New York, NY 10022
5 Telephone: 212-935-6020
6 Facsimile: 212-753-8101
7 Attorneys for Defendants

8 Richard Idell (SBN 069033)
9 Ory Sandel (SBN 233204)
10 Idell & Seitel, LLP
11 465 California Street, Suite 300
12 San Francisco, CA 94104
13 Phone: (415) 986-2400
14 Facsimile: (415) 392-9259
15 Attorneys for Defendants

16 Jason K. Singleton (SBN 166170)
17 Richard E. Grabowski (SBN 236207)
18 Singleton Law Group
19 611 "L" Street, Suite A
20 Eureka, CA 95501
21 Phone: (707) 441-1177
22 Facsimile: (707) 441-1533
23 Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

24 ASIS INTERNET SERVICES, a California
25 corporation, and JOEL HOUSEHOLTER, dba
26 KNEELAND ENGINEERING, dba
27 FOGGY.NET,

Plaintiffs,

vs.

28 CONSUMERBARGAINGIVEAWAYS, LLC,
an Illinois Limited Liability Company, dba
OPINIONRESEARCHPANEL aka
OPINIONRESEARCHPANEL.COM;
CONSUMER REVIEW NETWORK, LLC, a

Case No. C 08-4856 WHA

**STIPULATION RE: HEARING DATE ON
PLAINTIFFS' MOTION FOR LEAVE TO
AMEND**

[PROPOSED] ORDER THEREON

Date: June 4, 2009

Time: 8:00 a.m.

Place: Courtroom 9

Hon. Judge William Alsup, Presiding

Case No. C 08-04856 WHA

STIPULATION RE: HEARING DATE ON PLAINTIFFS' MOTION FOR LEAVE TO AMEND

MAY. 5. 2009 11:51AM

IDELL & SEITEL LLP

1 Delaware limited liability company, dba
 2 CONSUMERREVIEWNETWORK.COM;
 3 DIRECTGIFTCARDPROMOTIONS, LLC, an
 4 Illinois limited liability company, dba
 5 LAPTOPREVIEWPANEL aka
 6 LAPTOPREVIEWPANEL.COM; and DOES
 7 ONE through FIFTY, inclusive,
 8 Defendants.

9 This Stipulation is entered into by and between Plaintiffs ASIS INTERNET SERVICES, a
 10 California corporation, and JOEL HOUSEHOLTER, dba KNEELAND ENGINEERING, dba
 11 FOGGY.NET (collectively "Plaintiffs"), on the one hand, and CONSUMERBARGAININGVEAWAYS,
 12 LLC, an Illinois limited liability company, dba OPINIONRESEARCHPANEL aka
 13 OPINIONRESEARCHPANEL.COM; CONSUMER REVIEW NETWORK, LLC, a Delaware limited
 14 liability company, dba CONSUMERREVIEWNETWORK.COM; and
 15 DIRECTGIFTCARDPROMOTIONS, LLC, an Illinois limited liability company, dba
 16 LAPTOPREVIEWPANEL aka LAPTOPREVIEWPANEL.COM (collectively "Defendants"), on the
 17 other hand, pursuant to Rule 7-7(b) of the Local Rules of the United States District Court, Northern
 18 District of California.

19 WHEREAS, on January 15, 2009, Defendants filed a motion to dismiss and for a more definite
 20 statement pursuant to Rules 12(b) and 12(3) of the Federal Rules of Civil Procedure (the "Motion"); and

21 WHEREAS, on April 17, 2009, this Court granted the Motion in part and denied the Motion in
 22 part; and

23 WHEREAS, the Court's April 17, 2009 Order gave Plaintiffs permission to move for leave to
 24 amend by May 7, 2009; and

25 WHEREAS, on April 30, 2009, Plaintiffs filed their motion for leave to amend; and

26 WHEREAS, Plaintiffs' motion for leave to amend set a hearing date of June 4, 2009; and

27 WHEREAS, Defendants' counsel are unable to attend the hearing on Plaintiffs' motion for leave
 28 to amend on June 4, 2009 due to a previously scheduled all-day mediation in another matter; and

Case No. C 08-04856 WHA

STIPULATION RE: HEARING DATE ON PLAINTIFFS' MOTION FOR LEAVE TO AMEND

MAY. 5. 2009 11:51AM IDELL & SEITEL LLP

1 WHEREAS, if approved by the Court, the parties have agreed to have the hearing date on
2 Plaintiffs' motion for leave to amend continued to June 18, 2009 at 8:00 a.m.; and

3 WHEREAS, continuing the hearing on Plaintiffs' motion for leave to amend will not adversely
4 affect any other dates in this case; and

5 WHEREAS, the Parties agree that the filing deadlines for any opposition and reply briefs shall
6 run from the new hearing date of June 18, 2009;

7 NOW THEREFORE, the Parties jointly request that the Court continue the hearing date on
8 Plaintiffs' motion for leave to amend from June 4, 2009 to June 18, 2009 and hereby stipulate as
9 follows:

10 1. The hearing date on Plaintiffs' motion for leave to amend shall be continued to June 18,
11 2009 at 8:00 a.m.

12 2. The filing deadlines for any opposition and reply briefs shall run from the new hearing
13 date of June 18, 2009:

14 a. Any opposition by Defendants to Plaintiffs' motion for leave to amend shall be filed by
15 May 28, 2009.

16 b. Any reply by Plaintiffs in support of Plaintiffs' motion for leave to amend shall be filed
17 by June 4, 2009.

18 3. Good cause exists for the requested Order.

19 4. Defendants shall file this stipulation with the Court for an Order thereon.

20 SO STIPULATED:

21 SINGLETON LAW GROUP

22
23 Dated: May 5, 2009

By:


24

Jason K. Singleton
Richard E. Grabowski
Attorneys for Plaintiffs

25
26
27 Case No. C 08-04856 WHA

28 STIPULATION RE: HEARING DATE ON PLAINTIFFS' MOTION FOR LEAVE TO AMEND

KLEIN ZELMAN ROTHERMEL LLP

1
2
3 Dated: _____, 2009

By: _____

Richard B. Newman
Attorneys for Defendants

4
5
6 IDELL & SEITEL, LLP

7
8 Dated: May 5th, 2009

By: _____

Richard J. Idell
Attorneys for Defendants

9
10
11
12 **[PROPOSED] ORDER ON STIPULATION**

13 The stipulation of the parties having come before the Court and good cause appearing therefore,
14 IT IS HEREBY ORDERED as follows:

15 1. The hearing on Plaintiffs' motion for leave to amend is continued from June 4, 2009 to
16 June 18, 2009 at 8:00 a.m.

17 2. The filing deadlines for any opposition and reply briefs shall run from the new hearing
18 date of June 18, 2009:

19 a. Any opposition by Defendants to Plaintiffs' motion for leave to amend shall be filed by
20 May 28, 2009.

21 b. Any reply by Plaintiffs in support of Plaintiffs' motion for leave to amend shall be filed
22 by June 4, 2009.

23 SO ORDERED.

24
25 Dated: _____, 2009


HONORABLE WILLIAM ALSUP
UNITED STATES DISTRICT COURT JUDGE

Case No. C 08-04856 WHA

26
27
28 STIPULATION RE: HEARING DATE ON PLAINTIFFS' MOTION FOR LEAVE TO AMEND

KLEIN ZELMAN ROTHERMEL LLP

1
2
3 Dated: 5/6, 2009

By: 
Richard B. Newman
Attorneys for Defendants

6 IDELL & SEITEL, LLP

7
8 Dated: _____, 2009

By: _____
Richard J. Idell
Attorneys for Defendants

11
12 **[PROPOSED] ORDER ON STIPULATION**

13 The stipulation of the parties having come before the Court and good cause appearing therefore,
14 IT IS HEREBY ORDERED as follows:

15 1. The hearing on Plaintiffs' motion for leave to amend is continued from June 4, 2009 to
16 June 18, 2009 at 8:00 a.m.

17 2. The filing deadlines for any opposition and reply briefs shall run from the new hearing
18 date of June 18, 2009:

19 a. Any opposition by Defendants to Plaintiffs' motion for leave to amend shall be filed by
20 May 28, 2009.

21 b. Any reply by Plaintiffs in support of Plaintiffs' motion for leave to amend shall be filed
22 by June 4, 2009.

23 SO ORDERED.

24
25 Dated: May 7, 2009, 2009



26 HONORABLE WILLIAM ALSUP
27 UNITED STATES DISTRICT COURT JUDGE
Case No. C 08-04856 WHA

28 STIPULATION RE: HEARING DATE ON PLAINTIFFS' MOTION FOR LEAVE TO AMEND

PROOF OF SERVICE

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Idell & Seitel LLP, 465 California Street, Suite 300, San Francisco, California 94104.

On May 6, 2009, I served the following document(s):

STIPULATION RE: HEARING DATE ON PLAINTIFFS' MOTION FOR LEAVE TO AMEND; [PROPOSED] ORDER THEREON

by regular **UNITED STATES MAIL** by placing a true and correct copy in a sealed envelope addressed as shown below. I am readily familiar with the practice of Idell & Seitel LLP for collection and processing of correspondence for mailing. According to that practice, items are deposited with the United States Postal Service at San Francisco, California on that same day with postage thereon fully prepaid. I am aware that, on motion of the party served, service is presumed invalid if the postal cancellation date or the postage meter date is more than one day after the date of deposit for mailing stated in this affidavit.

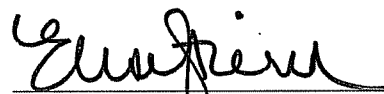
by **ELECTRONIC MAIL**. As this case is subject to the United States District Court for the Northern District of California ECF program, pursuant to General Rule 45, upon the filing of the above-entitled document(s) an automatically generated e-mail message was generated by the Court's electronic filing system and sent to the address(es) shown below and constitutes service on the receiving party.

Jason K. Singleton
Richard E. Grabowski
Singleton Law Group
611 L Street, Suite A
Eureka, CA 95501
Telephone: (707) 441-1177
Facsimile: (707) 441-1533
Email: jason@singletonlawgroup.com
Email: rgrabowski@mckinleyville.net

Richard Newman, Esq.
Klein Zelman Rothermel, LLP
485 Madison Avenue
New York, NY 10022
Telephone: (212) 935-6020 ext. 249
Fax: (212) 753-8101
E-Mail: rnewman@kleinzelman.com

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and I executed this declaration at San Francisco, California.

Executed on May 6, 2009.



Elise Stieren