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9 Attorneys for Defendant,
 10 NebuAd, Inc.

11
 12 IN THE UNITED STATES DISTRICT COURT
 13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

15 DAN VALENTINE, DALE MORTENSEN,
 16 MELISSA BECKER, SAMUEL GREEN,
 17 SHERRON RIMPSEY, CHARLOTTE
 18 MIRANDA, FRANK MIRANDA, SAUL
 19 DERMER, WAYNE COPELAND, CRYSTAL
 20 REID, ANDREW PAUL MANARD,
 KATHLEEN KIRCH, TERRY KIRCH, NEIL
 DEERING, PAUL DRISCOLL, individuals, on
 behalf of themselves and all others similarly
 situated,

21 Plaintiffs,

22 v.

23 NEBUAD, INC., a Delaware Corporation,
 24 BRESNAN COMMUNICATIONS, a New
 York Corporation, CABLE ONE, a Delaware
 Corporation, CENTURYTEL, a Texas
 Corporation, EMBARQ, a Delaware
 Corporation, KNOLOGY, a Delaware
 Corporation, WOW!, a Delaware Corporation,
 26 AND JOHN DOES 1-20, Corporations,

27 Defendants.
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CASE NO. 3:08-cv-05113 (TEH)(EMC)

**STIPULATION AND [Proposed] ORDER
 GOVERNING DISCOVERY OF INTERNET
 SERVICE PROVIDER INFORMATION IN
 THE FILES OF DEFENDANT NEBUAD, INC.**

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Pursuant to the May 20, 2009 hearing before the Honorable Judge Edward M. Chen, the parties, by and through their respective counsel of record, do hereby stipulate and agree as follows:

1. On or before July 8, 2009, counsel for NebuAd, Inc. (“NebuAd”) shall provide a copy of this Order to all non-party Internet Service Providers (“ISP”) and other third parties that counsel has identified as having confidential information within NebuAd’s files and which may be responsive to plaintiffs’ formal discovery requests.

2. On or after July 22, 2009, counsel for NebuAd shall produce, under the Stipulated Protective Order (Docket No. 108), all confidential non-party ISP and other third party information within NebuAd’s files, except for the following. If any non-party ISP or third party files a motion in this matter seeking a protective order to prevent such disclosure, NebuAd may refrain from production of those documents pertaining specifically to that non-party ISP or third party, until and subject to resolution of the protective order seeking to prevent such disclosure, or until otherwise ordered by the Court.

IT IS SO STIPULATED.

Dated: July 7, 2009 By: _____/s/
Alan Himmelfarb
KAMBEREDELSON LLC
Attorneys for Plaintiffs

Dated: July 7, 2009 By: _____/s/
John D. Seiver
DAVIS WRIGHT TREMAINE LLP
Attorneys for Defendant
BRESNAN COMMUNICATIONS

Dated: July 7, 2009 By: _____/s/
Simon J. Frankel
COVINGTON & BURLING LLP
Attorneys for Defendant
CABLE ONE

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Dated: July 7, 2009

By: _____ /s/
David A. Handzo
JENNER & BLOCK, LLP
Attorneys for Defendants
CENTURY TEL and EMBARQ

Dated: July 7, 2009

By: _____ /s/
Troy Sauro
PERKINS COIE LLP
Attorneys for Defendants
KNOLOGY and WOW!

Dated: July 7, 2009

By: _____ /s/
Thomas E. Gilbertsen
KELLEY DRYE & WARREN LLP
Attorney for Defendant NebuAd, Inc.

ORDER

In consideration of the foregoing stipulation and good cause appearing therefore, IT IS SO ORDERED.

DATED: 7/7/09

