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18 *Attorneys for Defendant Netflix, Inc.*

19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA
 21 SAN FRANCISCO DIVISION

| | | | |
|----|---|---|-----------------------------------|
| 22 | SARAH ENDZWEIG, on behalf of herself and others similarly situated |) | Civil Action No. CV 09 0111 (JCS) |
| 23 | |) | |
| 24 | Plaintiff, |) | |
| 25 | |) | |
| 26 | v. |) | |
| 27 | |) | |
| 28 | WALMART.COM USA LLC, WAL-MART STORES, INC and NETFLIX, INC., |) | |
| | |) | |
| | Defendants. |) | |
| | |) | |
| | |) | |
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| | |) | |

29 Pursuant to Local Civil Rule 6-1, Defendants Wal-Mart Stores, Inc., Walmart.com USA
 30 LLC, and Netflix, Inc. (“Defendants”) and Plaintiff Sarah Endzweig, (“Plaintiff”), hereby
 31 stipulate:
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1 WHEREAS, on or about January 9, 2009, Plaintiff filed the complaint in this action, which
2 alleges violations of Sections 1 and 2 of the Sherman Act, 15 U.S.C. §§ 1 & 2;

3 WHEREAS, Plaintiff styled the action as a putative class action;

4 WHEREAS, as of the date of this stipulation, several other plaintiffs have filed complaints
5 in this District, including:

6 a. No. CV 09-0002 (PJH), *Andrea Resnick, Gary Bunker, John Haley, Amy*
7 *Latham, Eric Roslansky And Kevin Simpson, on behalf of himself and others*
8 *similarly situated v. Walmart.Com USA LLC, Wal-Mart Stores, Inc. and*
9 *Netflix, Inc.*; pending in the United States District Court for the Northern
10 District of California;

11 b. No. CV 09-0111 (PJH), *Sarah Endzweig v. Walmart.Com USA LLC, Wal-*
12 *Mart Stores, Inc. and Netflix, Inc.*; pending in the United States District
13 Court for the Northern District of California;

14 c. No. CV 09-0116 (PJH), *Christopher P. Schmitz, on behalf of himself and all*
15 *others similarly situated v. Walmart.Com USA LLC, Wal-Mart Stores, Inc.,*
16 *and Netflix, Inc.*; pending in the United States District Court for the
17 Northern District of California;

18 d. No. CV 09-00138 (PJH), *Scott Lynch, Sisto Abeyta, Allison Hancock, and*
19 *Bryan Eastman, on behalf of themselves and others similarly situated v.*
20 *Walmart.Com USA LLC, Wal-Mart Stores, Inc. and Netflix, Inc.*; pending in
21 the United States District Court for the Northern District of California;

22 e. No. CV 09-00139 (PJH), *Jonathan Groce and Susan Horowitz on behalf of*
23 *themselves and those similarly situated v. Netflix, Inc. Wal-Mart Stores, Inc.*
24 *and Walmart.com USA LLC*; pending in the United States District Court for
25 the Northern District of California

26 f. No. CV 09-00156 (PJH), *Liza Sivek, on behalf of herself and all others*
27 *similarly situated v. Walmart.com USA LLC, Wal-Mart Stores, Inc. and*
28 *Netflix, Inc.*; pending in the United States District Court for the Northern
District of California

 g. No. CV 09-0180 (PJH), *Armond Faris, on behalf of himself and others*
similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and Walmart.com
USA LLC; pending in the United States District Court for the Northern
District of California.

 h. No. CV 09-00236 (PJH), *Katherine Anthony, on behalf of herself and*
others similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and
Walmart.com USA LLC; pending in the United States District Court for the
Northern District of California.

 i. No. CV 09-0244 (PJH), *Melanie Polk-Stamps, on behalf of herself and*

1 *others similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and*
2 *Walmart.com USA LLC*; pending in the United States District Court for the
3 Northern District of California.

4 j. No. CV 09-00274 (JL), *Richard Sheeler, Jr., on behalf of himself and others*
5 *similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and Walmart.com*
6 *USA LLC*; pending in the United States District Court for the Northern
7 District of California.

8 k. No. CV 09-00294 (PJH), *Cathleen Chapman, on behalf of herself and*
9 *others similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and*
10 *Walmart.com USA LLC*; pending in the United States District Court for the
11 Northern District of California.

12 l. No. CV 09-00398 (BZ), *Michael Weiner, on behalf of himself and all others*
13 *similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and Walmart.com*
14 *USA LLC*; pending in the United States District Court for the Northern
15 District of California.

16 m. No. CV 09-00402 (JL), *Margarita Lacabe, on behalf of herself and all*
17 *others similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and*
18 *Walmart.com USA LLC*; pending in the United States District Court for the
19 Northern District of California.

20 n. No. CV 09-00225 (PJH), *Suzanne Slobodin, on behalf of herself and all*
21 *others similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and*
22 *Walmart.com USA LLC*; pending in the United States District Court for the
23 Northern District of California.

24 o. No. CV 09-00297 (PJH), *Michael Orozco, on behalf of himself and others*
25 *similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and Walmart.com*
26 *USA LLC*; pending in the United States District Court for the Northern
27 District of California.

28 p. No. CV 09-00340 (MEJ), *Linda Landels and Antonia Landels, on behalf of*
themselves and all others similarly situated v. Netflix, Inc., Wal-Mart
Stores, Inc. and Walmart.com USA LLC; pending in the United States
District Court for the Northern District of California.

 q. No. CV 09-00349 (EMC), *Sarah E. Grime, on behalf of herself and all*
others similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and
Walmart.com USA LLC; pending in the United States District Court for the
Northern District of California.

 r. No. CV 09-00361 (BZ), *Douglas Meyer, on behalf of himself and others*
similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and Walmart.com
USA LLC; pending in the United States District Court for the Northern
District of California.

 s. No. CV 09-00368 (EMC), *Laura Randall, on behalf of herself and all*

1 *others similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and*
2 *Walmart.com USA LLC*; pending in the United States District Court for the
3 Northern District of California.

4 t. No. CV 09-00378 (MEJ), *Argyre S. Patras, an individual, on behalf of*
5 *himself and all others similarly situated v. Netflix, Inc., Wal-Mart Stores,*
6 *Inc. and Walmart.com USA LLC*; pending in the United States District
7 Court for the Northern District of California.

8 u. No. CV 09-00377 (EDL), *Melanie Miscioscia, on behalf of herself and all*
9 *others similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and*
10 *Walmart.com USA LLC*; pending in the United States District Court for the
11 Northern District of California.

12 v. No. CV 09-00375 (EDL), *Frank Hirsch, on behalf of himself and all others*
13 *similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and Walmart.com*
14 *USA LLC*; pending in the United States District Court for the Northern
15 District of California.

16 w. No. CV 09-00400 (EDL), *Amos Kober, on behalf of himself and others*
17 *similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and Walmart.com*
18 *USA LLC*; pending in the United States District Court for the Northern
19 District of California.

20 x. No. CV 09-00391 (MEJ), *James Chatelain, on behalf of himself and all*
21 *others similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and*
22 *Walmart.com USA LLC*; pending in the United States District Court for the
23 Northern District of California.

24 y. No. CV 09-00399 (JCS), *Tobias L. Millrood, on behalf of himself and all*
25 *others similarly situated v. Netflix, Inc., Wal-Mart Stores, Inc. and*
26 *Walmart.com USA LLC*; pending in the United States District Court for the
27 Northern District of California.

28 WHEREAS, each of these complaints alleges federal antitrust actions as against
29 Defendants, and are styled as putative class actions;

30 WHEREAS, Defendants have not yet been served with all of the complaints on file in this
31 district;

32 WHEREAS, in light of the multiple complaints on file, the potential for additional
33 complaints in this and other various jurisdictions, and the complex nature of Plaintiff's allegations,
34 Plaintiff and Defendants have agreed that Defendants' time to answer or otherwise respond to this
35 complaint would be extended to 30 days after such time as a consolidated complaint is filed,
36 without prejudice to any party's right to seek additional enlargements of time as necessary;

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Stipulated and agreed this 2d day of February, 2009

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Attorneys for Plaintiff Sarah Endzweig

1 **CERTIFICATE OF SERVICE**

2 This is to certify that a true and correct copy of the foregoing instrument has been served
3 on the following counsel of record this 2d day of February, 2009, via the Court's ECF service as
4 indicated below:

5 **Plaintiffs Counsel**

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17 /s/Stephen E. Morrissey
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