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7 *Attorneys for Plaintiff*  
 8 SUSAN SIMON and the putative class

9  
 10 **UNITED STATES DISTRICT COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA**  
 12 **SAN FRANCISCO DIVISION**

13 SUSAN SIMON, individually, on behalf of  
 14 herself and all others similarly situated,

15 Plaintiffs,

16 v.

17 ADZILLA, INC.; CONDUCTIVE  
 18 CORPORATION; CONTINENTAL VISINET  
 BROADBAND, INC.; CORE  
 19 COMMUNICATIONS, INC. d/b/a CORETEL  
 20 COMMUNICATIONS, INC. et al.

21 Defendants.

Case No.: C09-00879-MMC

**STIPULATION REGARDING TIME FOR  
 PLAINTIFF’S RESPONSE TO  
 DEFENDANT CONTINENTAL VISINET,  
 BROADBAND LLC’S MOTION TO  
 DISMISS**

The Hon. Maxine M. Chesney

22  
 23 Pursuant to Local Rule 6-1, Plaintiff and Defendant Continental Visinet Broadband LLC  
 24 (“Continental Visinet”) hereby stipulate and agree as follows:

- 25 1. The time for Plaintiff to file a response to Continental Visinet’s Motion to Dismiss  
 26 (Dkt. No. 9) is extended to May 22, 2009.

27  
 28 Stipulation Regarding Time For Plaintiff’s Response  
 To Defendant Continental Visinet’s Motion To  
 Dismiss

1           2.       Plaintiff filed her complaint on February 27, 2009.

2           3.       Continental Visinet filed its Motion to Dismiss on March 30, 2009.

3           4.       This is the first request for an extension of time concerning a response to  
4 Continental Visinet's Motion to Dismiss.

5           5.       The parties request this extension to allow Plaintiff and Defendant Continental  
6 Visinet to seek a non-judicial resolution of the matter through informal discussion, and, if  
7 necessary by way of alternative, coordinate responsive pleadings with other defendants in this  
8 matter.

9           6.       Plaintiff previously stipulated with defendants Conducive, and CoreTel to provide  
10 these defendants additional time to file a responsive pleading or otherwise respond to Plaintiff's  
11 Complaint.

12          7.       This requested time modification will require the Court to reschedule the hearing  
13 on Defendant Continental Visinet's Motion to Dismiss, which is currently scheduled for May 15,  
14 2009 at 9:00 a.m. The parties propose that the Court reschedule the hearing for Friday, June 12,  
15 2009 at 9:00 a.m., which date is presently scheduled for the Case Management Conference in this  
16 matter.

17 Dated: April 24, 2009

By:       /s/  
Alan Himmelfarb  
KAMBEREDELSON, LLC  
*Attorney for Plaintiffs*

20 Dated: April 24, 2009

By:       /s/  
Martin L. Fineman  
DAVIS WRIGHT TREMAINE LLP  
*Attorney for Defendant Continental  
Visinet Broadband LLC.*

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21 Defendants.

Case No.: C09-00879-MMC

**PROPOSED ORDER REGARDING TIME  
FOR PLAINTIFF'S RESPONSE TO  
DEFENDANT CONTINENTAL VISINET  
BROADBAND LLC'S MOTION TO  
DISMISS**

The Hon. Maxine M. Chesney

1 Now before the Court is Plaintiff's and Defendant Continental Visinet Broadband LLC's  
2 Stipulation Regarding Time for Plaintiff's Response to Defendant Continental Visinet's Motion to  
3 Dismiss. Upon consideration of the stipulation, this Court is of the opinion that Plaintiff shall  
4 have until May 22, 2009 to respond to Defendant Continental Visinet's Motion to Dismiss. The  
5 hearing on Defendant Continental Visinet's Motion to Dismiss is hereby set for Friday, June 12,  
6 2009 at 9:00 a.m.

7 PURSUANT TO STIPULATION, IT IS SO ORDERED.

8  
9  
10 DATED: \_\_\_\_\_

11 By: \_\_\_\_\_  
12 Hon. Maxine M. Chesney  
13 United States District Court  
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