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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

15 SUSAN SIMON, individual, on behalf of
16 herself and all others similarly situated,

17 Plaintiffs,

18 v.

19 ADZILLA, INC. (NEW MEDIA), a
 20 Delaware Corporation; CONDUCTIVE
 21 CORPORATION, a Delaware Corporation;
 22 CONTINENTAL VISINET
 23 BROADBAND, INC., a Delaware
 24 Corporation; CORE COMMUNICATIONS,
 25 INC., d/b/a/ CORE COMMUNICATIONS,
 26 INC., a Delaware Corporation; and DOES
 27 1-50, Corporations Defendants,

28 Defendants.

Case No. C09-00879 MMC (JS)

**STIPULATION AND [PROPOSED]
ORDER CONTINUING CMC**

Date: August 21, 2009
 Time: 10:30 a.m.
 Courtroom: A, 15th Floor
 Judge: Judge Maxine M.
 Chesney

1 Pursuant to Local Rule 6-2, Plaintiff, Defendant Adzilla, Inc. (“Adzilla”), Defendant
2 Continental VisiNet Broadband (“Continental”), and Defendant Core Communications, Inc.
3 (“Core”) (collectively, “Defendants”) hereby stipulate and agree as follows:

4 1. A Case Management Conference (“CMC”) is scheduled for August 21, 2009 at
5 10:30 a.m. before Judge Chesney.

6 2. Plaintiff and Defendants request that this CMC be continued until after
7 September 26, 2009 to give the parties the opportunity to pursue settlement discussions.

8 3. In addition to settlement discussions, continuing the CMC is appropriate because
9 there are pending motions to dismiss that will not be heard until after August 21, 2009.

10 4. Plaintiff filed her complaint on February 27, 2009. (Dkt. 1).

11 5. This is the parties’ first request for an extension of time concerning the August 21,
12 2009 CMC. The CMC was first scheduled for June 12, 2009. (Dkt. 2). The Court then continued
13 it until August 21, 2009. (Dkt. 39).

14 6. Concerning other matters in the case, the parties first stipulated to extend former
15 defendant Conducive Corp.’s time to respond to Plaintiff’s Complaint on March 26, 2009 (Dkt. 7),
16 April 23, 2009 (Dkt. 17), and May 21, 2009 (Dkt. 23). Conducive was later voluntarily dismissed
17 from the suit on June 4, 2009. (Dkt. 35).

18 7. The parties stipulated to extend Core’s time to respond to the Complaint on April
19 14, 2009 (Dkt. 13) and April 24, 2009 (Dkt 18). The Court later vacated the hearing on Core’s
20 motion to dismiss on July 7, 2009. (Dkt. 46).

21 8. Plaintiff stipulated to extend defendant Adzilla, Inc.’s time to respond to the
22 Complaint on May 6, 2009 (Dkt. 22) and May 29, 2009 (Dkt. 32).

23 9. The parties stipulated to extend Plaintiff’s time to respond to defendant Continental
24 VisiNet’s Motion to Dismiss on April 24, 2009 (Dkt. 19), May 21, 2009 (Dkt. 25), and July 15,
25 2009 (Dkt. 49). The Court reset deadlines on said motion on May 22, 2009.

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1 10. Plaintiff and Core stipulated to vacate the hearing until after September 26, 2009 on
2 Plaintiff's Motion for Leave to Conduct Jurisdictional Discovery on August 5, 2009. (Dkt. 54).
3 Magistrate Judge Spero entered the stipulation on August 6, 2009. (Dkt. 55).

4
5 Dated: August 11, 2009

KAMBEREDELSON, LLC

6 By: Michael J. Aschenbrener

7 MICHAEL J. ASCHENBRENER

8 Attorneys for Plaintiff

9
10 Dated: August 11, 2009

SCHIFF HARDIN LLP

11 By: s/ Rocky Unruh

12 ROCKY UNRUH

13 Attorneys for Defendant
14 Core Communications, Inc.

15 Date: August 11, 2009

DAVIS WRIGHT TREMAINE

16 By: s/ Martin Fineman

17 MARTIN FINEMAN

18 Attorneys for Defendant
19 Continental VisiNet Broadband, LLC

20 Date: August 11, 2009

COOLEY GODWARD KRONISH LLP

21 By: s/ Beatriz Mejia

22 BEATRIZ MEJIA

23 Attorneys for Defendant
24 Adzilla, Inc.

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PURSUANT TO THE PARTIES' STIPULATION AND FOR GOOD CAUSE SHOWN, the Case Management Conference, currently scheduled for August 21, 2009, is hereby continued.

Dated: _____

HON. MAXINE M. CHESNEY
United States District Judge