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Attorneys for Plaintiff JOY NWABUEZE  
 and the Putative Class

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 16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN FRANCISCO DIVISION

19 \_\_\_\_\_ )  
 20 JOY NWABUEZE, individually and on behalf )  
 of a class of similarly situated individuals, )  
 21 )  
 Plaintiff, )  
 22 )  
 vs. )  
 23 )  
 AT&T INC., a Delaware corporation; )  
 24 PACIFIC BELL TELEPHONE COMPANY )  
 d/b/a AT&T CALIFORNIA, a California )  
 25 corporation; AT&T SERVICES, INC., a )  
 Delaware corporation; AT&T OPERATIONS, )  
 26 INC., a Delaware corporation; and DOES 1 )  
 through 21, )  
 27 )  
 Defendants. )  
 28 \_\_\_\_\_ )

Case No. CV 09-01529 SI

STIPULATED REQUEST AND  
~~[Proposed]~~ ORDER EXTENDING  
DEFENDANT AT&T, INC.'S TIME TO  
RESPOND TO FIRST AMENDED  
COMPLAINT  
[Local Rule 6-2]

Judge: Hon. Susan Illston  
 First Amended Class Action Complaint  
 Filed: August 13, 2009

1           WHEREAS, Plaintiff Joy Nwabueze (“Plaintiff”) caused the Summons and  
2 Complaint in this action to be served on Defendant AT&T Inc. on April 30, 2009;

3           WHEREAS, Plaintiff subsequently filed a First Amended Complaint for Damages,  
4 Declaratory and Injunctive Relief on August 13, 2009;

5           WHEREAS, Defendant AT&T, Inc. filed a Motion to Dismiss for Lack of Personal  
6 Jurisdiction pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, on  
7 September 18, 2009, and that motion was taken off calendar pending the resolution of the  
8 Motion to Dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure filed  
9 by the other Defendants and joined by AT&T Inc. in the alternative;

10           WHEREAS, in a Minute Order dated February 4, 2011, the Court terminated all  
11 prior motions to dismiss and set March 18, 2011 as the date by which any such motions to  
12 dismiss must be refiled, if necessary;

13           WHEREAS, parties have been engaged in discussions regarding the possible  
14 dismissal without prejudice of Defendant AT&T, Inc., and require additional time to  
15 complete such discussions;

16           WHEREAS, Defendant AT&T, Inc. requested, and Plaintiff agreed, to stipulate to a  
17 thirty-day extension of the time until April 18, 2011, within which Defendant AT&T, Inc.  
18 must respond to the First Amended Complaint;

19           WHEREAS, Defendant AT&T, Inc. requested, and Plaintiff agreed, to stipulate to a  
20 thirty-day extension of the time until May 18, 2011, within which Defendant AT&T, Inc.  
21 must respond to the First Amended Complaint;

22           WHEREAS, Defendant AT&T, Inc. requested, and Plaintiff agreed, to stipulate to a  
23 thirty-day extension of the time until June 17, 2011, within which Defendant AT&T, Inc.  
24 must respond to the First Amended Complaint;

25           WHEREAS, the parties believe that deferring the issue of personal jurisdiction over  
26 Defendant AT&T, Inc. at this time will not delay the litigation and may instead realize  
27 efficiencies and judicial economy;

28

1 WHEREAS, the extension will not alter the date of any event or deadline already  
2 fixed by Court order other than Defendant AT&T, Inc.'s response date;

3 NOW THEREFORE, it is hereby stipulated by and between the parties, through  
4 their respective counsel, that Defendant AT&T Inc. shall have until June 17, 2011, within  
5 which to respond to Plaintiff's First Amended Complaint.

6 Dated: May 17, 2011.

PILLSBURY WINTHROP SHAW PITTMAN LLP  
ROXANE A. POLIDORA  
CONNIE J. WOLFE

7  
8 By /s/ Roxane A. Polidora

Roxane A. Polidora  
Attorneys for Defendant  
AT&T INC.

9  
10  
11 Dated: May 17, 2011

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BRYAN G. KOLTON

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15 DAVID SCHACHMAN & ASSOC., PC  
DAVID SCHACHMAN

16 By /s/ John G. Jacobs

John G. Jacobs  
Attorneys for Plaintiff  
JOY NWABUEZE and the Putative Class

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19  
20 **ATTESTATION OF SIGNATURE**  
**(N.D. Cal. General Order 45)**

21 I, Roxane A. Polidora, hereby attest that concurrence in the filing of the following  
22 document: **STIPULATED REQUEST AND [Proposed] ORDER EXTENDING**  
23 **DEFENDANT AT&T, INC.'S TIME TO RESPOND TO FIRST AMENDED**  
24 **COMPLAINT [Local Rule 6-2]** has been obtained from all of the signatories.

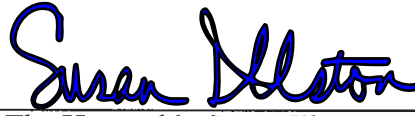
25 Dated: May 17, 2011

/s/ Roxane A. Polidora

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED. The deadline for Defendant AT&T Inc. to answer or otherwise respond to the First Amended Complaint shall be and is hereby extended to June 17, 2011.

Date: 5/18/11

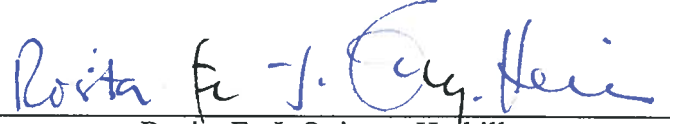


The Honorable Susan Illston  
United States District Judge

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on May 17, 2011, a true and correct copy of **STIPULATED**  
3 **REQUEST AND [Proposed] ORDER EXTENDING DEFENDANT AT&T, INC.'S**  
4 **TIME TO RESPOND TO FIRST AMENDED COMPLAINT [Local Rule 6-2]** was  
5 electronically transmitted to the Clerk of the Court using the ECF System for filing and  
6 transmittal of a Notice of Electronic Filing to all ECF registrants in this case.

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9 Rosita Fe J. Quimpo-Hefbilla

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