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16 *Attorneys for Plaintiffs*
17 *and the Proposed Class*

18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**

20 TINA WALTER, CHRISTOPHER
21 BAYLESS and ERIC SCHUMACHER,
22 individually and on behalf of others similarly
situated,

23 Plaintiff,

24 v.

25 HUGHES COMMUNICATIONS, INC. and
26 HUGHES NETWORK SYSTEMS, LLC,

27 Defendants.

CASE NO: 09-CV-02136 SC

**STIPULATION AND [PROPOSED]
ORDER CONTINUING HEARING ON
MOTION TO DISMISS**

Date: May 7, 2010
Time: 10:00 a.m.
Courtroom: 1, 17th Floor

The Honorable Samuel Conti

1 WHEREAS, on March 18, 2010, Defendants HUGHES COMMUNICATIONS, INC.
2 and HUGHES NETWORK SYSTEMS, LLC, (hereinafter, "Defendant") filed a Motion to
3 Dismiss and Strike Portions of the Second Amended Consolidated Class Action Complaint,
4 currently set for hearing on May 7, 2010;

5 WHEREAS, the Opposition to Defendant's Motion is due to be filed with this Court on
6 or before April 16, 2010;

7 WHEREAS, any Reply to Defendant's Opposition to the Motion is due to be filed with
8 this Court on or before April 23, 2010;

9 WHEREAS, on March 23, 2010, the Parties participated in a full and productive day of
10 mediation with the Hon. Ronald Sabraw (Ret.), at the JAMS offices in San Francisco,
11 California, at which time the basic framework of a class wide settlement to this matter was
12 discussed;

13 WHEREAS the Parties have agreed to exchange drafts of proposed settlement
14 agreements prior to their return to JAMS for another mediation session with Judge Sabraw on
15 July 8, 2010;

16 WHEREAS, to allow the Parties an opportunity to meaningfully continue their
17 discussions regarding the possible settlement of this matter, the Parties agree that the hearing on
18 the Motion to Dismiss should be continued until after the July 8 mediation session;

19 IT IS HEREBY STIPULATED, by and between the Parties through their respective
20 counsel, that the hearing on the Motion to Dismiss currently scheduled for May 7, 2010 shall be
21 continued until September 3, 2010 at 10:00 a.m., and further stipulated that the briefing schedule
22 be continued accordingly to August 13, 2010 for the Opposition and August 20, 2010 for the
23 Reply.

24 IT IS SO STIPULATED.

25 Dated: April 7, 2010

AUDET & PARTNERS, LLP

26 By: /s/
27 Joshua C. Ezrin
28 Attorneys for Plaintiffs

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Dated: April 7, 2010

HOGAN & HARTSON LLP

By: _____ /s/

Robert B. Hawk
Attorneys for Defendants
HUGHES COMMUNICATIONS, INC. and
HUGHES NETWORK SYSTEMS LLC

PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED.

Dated: April 7, 2010

THE HONORABLE

