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10 *Attorneys for Plaintiffs*
 11 *and the Proposed Class*

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**

14 TINA WALTER, CHRISTOPHER
 15 BAYLESS and ERIC SCHUMACHER,
 16 individually and on behalf of others similarly
 17 situated,

18 Plaintiff,

19 v.

20 HUGHES COMMUNICATIONS, INC. and
 21 HUGHES NETWORK SYSTEMS, LLC,

22 Defendants.

23) CASE NO: 09-CV-02136 SC

24) **STIPULATION AND [PROPOSED]**
 25) **ORDER WITHDRAWING HEARING**
 26) **ON MOTION TO DISMISS**

27 WHEREAS, on March 18, 2010, Defendants HUGHES COMMUNICATIONS, INC. and
 28 HUGHES NETWORK SYSTEMS, LLC, (hereinafter, "Defendant") filed a Motion to Dismiss
 and Strike Portions of the Second Amended Consolidated Class Action Complaint (hereinafter
 "Motion to Dismiss") in the above-captioned case, originally set for hearing on May 7, 2010;

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

STIPULATION AND [PROPOSED] ORDER
 WITHDRAWING MOTION TO DISMISS

1 PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED

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3 Dated: August _____, 2010

THE HONORABLE SAMUEL CONTI

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