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6 *Attorneys for Plaintiffs*  
 7 *and the Proposed Class*

8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**

10 TINA WALTER, CHRISTOPHER )  
 BAYLESS and ERIC SCHUMACHER, )  
 11 individually and on behalf of others similarly )  
 12 situated, )

13 Plaintiff,

v.

14 HUGHES COMMUNICATIONS, INC. and )  
 15 HUGHES NETWORK SYSTEMS, LLC, )

16 Defendants. )  
 17 )

CASE NO: 09-CV-02136 SC

**STIPULATION AND [PROPOSED]  
 ORDER CONTINUING STATUS  
 CONFERENCE AND EXTENDING  
 TIME FOR DEFENDANT TO  
 RESPOND TO PLAINTIFFS' SECOND  
 AMENDED COMPLAINT**

18 WHEREAS, on March 23, 2010, and August 17, 2010, the Parties participated in full and  
 19 productive days of mediation with the Hon. Ronald Sabraw (Ret.), at the JAMS offices in San  
 20 Francisco, California, followed by a teleconference with the mediator on October 19, 2010;

21 WHEREAS, the Parties are continuing to negotiate the terms of a settlement via  
 22 telephonic and written correspondence, and believe that agreement will be reached and a  
 23 comprehensive stipulation of settlement, subject to Court approval, will be agreed upon in time  
 24 to permit a January 7, 2011 filing of a Motion for Preliminary Approval of Settlement;

25 WHEREAS, Plaintiffs intend to seek Defendants' consent to file and expect to file prior  
 26 to January 7, 2011 a Second Amended Consolidated Class Action Complaint (hereafter, "Second  
 27 Amended Complaint"), alleging a nation-wide class;

28  
 STIPULATION AND [PROPOSED] ORDER  
 CONTINUING STATUS CONFERENCE AND EXTENDING TIME  
 FOR DEFENDANT TO RESPOND TO PLAINTIFFS' SECOND AMENDED COMPLAINT

1 WHEREAS, in order to allow the Parties sufficient time to focus and reach agreement on  
2 final terms of a settlement, to draft and execute a comprehensive written stipulation of  
3 settlement, and to prepare a Motion for Preliminary Approval, the Parties respectfully request  
4 that the Court adjust current case deadlines as follows: Counsel will file a motion for  
5 preliminary approval of settlement on or before January 7, 2011, with the hearing on that motion  
6 to be set on January 21; the case management conference, currently calendared for December 3,  
7 2010, will also be set for January 21, 2011; Defendants' deadline to respond to the operative  
8 Complaint in this matter, currently set for November 19, 2010, will be extended, such that  
9 Defendants will respond to the Second Amended Complaint on or before January 28, 2011;

10 IT IS HEREBY STIPULATED, by and between the Parties through their respective  
11 counsel, that

- 12 1. The Trial Setting Conference currently calendared for December 3, 2010 is  
13 hereby continued to January 21, 2011, at 10:00 a.m., in Courtroom 1, 17th Floor,  
14 at which time the Court will hear the Motion for Preliminary Approval of  
15 Settlement;
- 16 2. Counsel shall file their briefs seeking Preliminary Approval of Settlement by  
17 January 7, 2011;
- 18 3. Defendant shall respond to the Second Amended Complaint by January 28, 2011.

19 IT IS SO STIPULATED.

20 Dated: November 12, 2010

By: AUDET & PARTNERS, LLP  
\_\_\_\_\_/s/  
Joshua C. Ezrin  
Attorneys for Plaintiffs

23 Dated: November 12, 2010

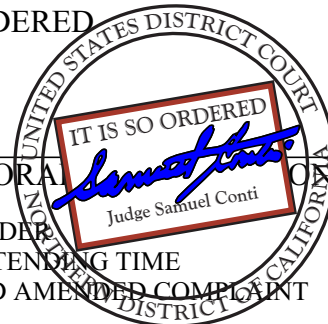
By: HOGAN LOVELLS US, LLP  
\_\_\_\_\_/s/  
Robert B. Hawk  
Attorneys for Defendants

26 PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED

28 Dated: November 18, 2010

THE HONORABLE  CONTI

STIPULATION AND [PROPOSED] ORDER  
CONTINUING STATUS CONFERENCE AND EXTENDING TIME  
FOR DEFENDANT TO RESPOND TO PLAINTIFFS' SECOND AMENDED COMPLAINT



1 I, Joshua C. Ezrin, am the ECF User whose ID and password are being used to file this  
2 Stipulation And [Proposed] Order Re Continuing Status Conference Hearing And Extending  
3 Time For Defendant To Respond To Plaintiffs' Second Amended Consolidated Class Action  
4 Complaint. In compliance with General Order 45, X.B., I hereby attest that Robert Hawk,  
5 counsel for HUGHES COMMUNICATIONS, INC. and HUGHES NETWORK SYSTEMS,  
6 LLC concurred in this filing.

7  
8 Dated: November 12, 2010

AUDET & PARTNERS, LLP

9 By:           /s/            
10 Joshua C. Ezrin