

1 Robert B. Hawk (SBN 118054)
 J. Christopher Mitchell (SBN 215639)
 2 HOGAN LOVELLS US LLP
 525 University Avenue, 4th Floor
 3 Palo Alto, California 94301
 Telephone: (650) 463-4000
 4 Facsimile: (650) 463-4199
 robert.hawk@hoganlovells.com
 5 chris.mitchell@hoganlovells.com

6 Attorneys for Defendants
 HUGHES COMMUNICATIONS, INC.
 7 and HUGHES NETWORK SYSTEMS, LLC

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

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

12 Plaintiffs,

13 v.

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

16 Defendants.

CASE NO.: 09-CV-02136 SC

**SECOND STIPULATION AND
 [PROPOSED] ORDER REGARDING
 RESPONSE TO PLAINTIFFS'
 SECOND AMENDED
 CONSOLIDATED CLASS ACTION
 COMPLAINT**

The Honorable Samuel Conti

1 WHEREAS, on January 7, 2011, Plaintiffs Tina Walter, Christopher Bayless, and Eric
2 Schumacher (“Plaintiffs”) filed a Motion for Preliminary Approval of Settlement and Conditional
3 Class Certification and Related Relief (the “Preliminary Approval Motion”);

4 WHEREAS, also on January 7, 2011, Plaintiffs filed a Stipulation and [Proposed] Order
5 Granting Plaintiffs Leave to File Third Amended Complaint, and also filed a proposed Third
6 Amended Consolidated Class Action Complaint (the “Third Amended Complaint”);

7 WHEREAS, the Court has not entered an Order on the stipulation granting Plaintiffs leave
8 to file the Third Amended Complaint;

9 WHEREAS, on February 3, 2011, the Court issued an Order Denying Motion For
10 Settlement, but providing that the parties may renew the Motion for Preliminary Approval of
11 Settlement, providing the Court with the information outlined in the February 3 Order;

12 WHEREAS the parties intend to renew the Motion for Preliminary Approval of
13 Settlement and to provide the information specified by the Court in its Order Denying Motion for
14 Settlement; the parties believe that the necessary information can be gathered and the renewed
15 motion can be filed by March 1, 2011 ;

16 WHEREAS, by prior stipulation, Defendants Hughes Communications, Inc. and Hughes
17 Network Services LLC (“Defendants”) are required to respond to the previously filed Second
18 Amended Consolidated Class Action Complaint (the “Second Amended Complaint”) on or before
19 February 28, 2011;

20 WHEREAS, given the parties’ intent to file a renewed Motion for Preliminary Approval
21 Motion and in the interests of efficiency and economy, the parties agree that Defendants need not
22 answer or otherwise respond on February 28, 2011 to the Second Amended Complaint;

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 IT IS HEREBY STIPULATED, by and between the parties through their respective
2 counsel, that the deadline for Defendants to answer or otherwise respond to the Second Amended
3 Complaint is extended by 45 days, from February 28, 2011 to April 14, 2011.

4 IT IS SO STIPULATED.

5
6 Dated: February 18, 2011

HOGAN LOVELLS US LLP

7 By: /s/
8 Robert B. Hawk

9 Attorneys for Defendants
10 HUGHES COMMUNICATIONS, INC. and
11 HUGHES NETWORK SYSTEMS LLC

12 Dated: February 18, 2011

AUDET & PARTNERS, LLP

13 By: /s/
14 Joshua C. Ezrin

15 Attorneys for Plaintiffs

16 PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED.

17
18
19 Dated: February 22, 2011



20 THE HONORABLE SAMUEL CONTI

21
22 ///

23 ///

24 ///

25 ///

26 ///

27 I, Robert B. Hawk, am the ECF User whose ID and password are being used to file this
28 Second Stipulation and [Proposed] Order Regarding Answer to Plaintiffs' Second Amended

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Consolidated Class Action Complaint. In compliance with General Order 45, X.B., I hereby attest that Joshua Ezrin concurred in this filing.

DATED: February 18, 2011

HOGAN LOVELLS LLP

By _____ /s/
Robert B. Hawk