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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

**STIPULATION AND [PROPOSED]
 ORDER REGARDING FILING OF
 MOTION FOR PRELIMINARY
 APPROVAL**

The Honorable Samuel Conti

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1 WHEREAS, on October 14, 2011 the Court entered a stipulated Order Regarding
2 Withdrawal Without Prejudice of Defendants' Motion to Dismiss (the "Order") permitting
3 Hughes Communications, Inc. and Hughes Network Systems LLC's (collectively, "Hughes") to
4 withdraw their then-pending Motion to Dismiss Pursuant to the Federal Arbitration Act and
5 Alternative Motion to Dismiss and Strike ETF Claims, to allow Hughes and Plaintiffs Tina
6 Walter, Christopher Bayless and Eric Schumacher ("Plaintiffs") (collectively, the "Parties") to
7 pursue settlement;

8 WHEREAS, the Order, pursuant to the stipulation of the parties, provided that Hughes'
9 time to Hughes' time to move to dismiss, answer or otherwise respond to the Second Amended
10 Complaint shall and hereby would be extended until (a) November 25, 2011, or (b) if Plaintiffs
11 were to file a Motion for Preliminary Approval of the Amended Settlement Agreement on or
12 before November 21, 2011, twenty (20) days after the Court rules on such motion;

13 WHEREAS, the parties have been diligently working to document the settlement and
14 have been cooperating in good faith in an Amended and Restated Stipulation of Settlement (the
15 "Amended Settlement Agreement") to be submitted to the Court for approval, together with a
16 motion for preliminary approval of the proposed settlement;

17 WHEREAS, the parties anticipate that due to the number of parties and counsel whose
18 review and signature are required for the settlement and supporting documentation to be
19 executed, and the travel schedule and other urgent commitments of counsel, the Amended
20 Settlement Agreement will not be fully executed in time for Plaintiffs to file the Motion for
21 Preliminary Approval of the Amended Settlement Agreement on or before November 21, 2011;

22 IT IS HEREBY STIPULATED, by and between the Parties through their respective
23 counsel, that:

- 24 1. Plaintiffs expect to file a Motion for Preliminary Approval of the Amended Settlement
25 Agreement on or before December 7, 2011;
- 26 2. Hughes' time to move to dismiss, answer or otherwise respond to the Second Amended
27 Complaint shall and hereby is extended until (a) December 20, 2011, or (b) if Plaintiffs file
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a Motion for Preliminary Approval of the Amended Settlement Agreement on or before
December 7, 2011, twenty (20) days after the Court rules on such motion.

IT IS SO STIPULATED.

Dated: November 17, 2011

HOGAN LOVELLS LLP

By: Richard Hecht

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

Dated: November 17, 2011

BRAMSON, PLUTZIK, MAHLER &
BIR
KHA
EUS
ER
LLP

By: Jennifer S Rosenberg

Jennifer S. Rosenberg
Attorneys for Plaintiffs

IT IS SO ORDERED.

Dated: November 21, 2011

