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

14
 15 Case No.: C 09-02457 (CRB)

16 UNITED STATES OF AMERICA, *ex*
rel., JOHN C. PRATHER, *et al.*
 17 Plaintiff-Relator,
 18 v.
 19 AT&T INC., CELLCO PARTNERSHIP
 d/b/a VERIZON COMMUNICATIONS,
 20 QWEST COMMUNICATIONS
 INTERNATIONAL, INC., AND SPRINT
 21 NEXTEL CORP.
 22 Defendants.

**STIPULATION AND ORDER
 RESCHEDULING ARGUMENT ON
 DEFENDANTS' JOINT MOTION TO
 DISMISS AMENDED COMPLAINT**

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1 Relator John C. Prather (“Relator”) and Defendants AT&T Inc. (“AT&T”), Cellco
2 Partnership d/b/a Verizon Wireless (“Verizon”), Qwest Communications International Inc.
3 (“Qwest”), and Sprint Nextel Corporation (“Sprint”), (collectively, “Defendants”), by and
4 through their respective counsel and subject to the approval of the Court, hereby stipulate as
5 follows:
6

7 WHEREAS, argument on Defendants’ Joint Motion to Dismiss the Amended Complaint
8 was originally scheduled for Friday, April 19, 2013 at 10 a.m. and rescheduled for Friday, May
9 24, 2013 at 10 a.m.;

10 WHEREAS, Plaintiff’s counsel is unable to attend the new argument date;

11 WHEREAS, Defendants’ counsel do not object to a new argument date of Friday, June
12 28, 2013;

13
14 IT IS HEREBY STIPULATED AND AGREED by the undersigned counsel on behalf of
15 the parties identified below that:

16 (1) Argument on Defendants’ Joint Motion to Dismiss the Amended Complaint shall
17 be rescheduled for Friday, June 28, at 10 a.m.
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DATED: April 11, 2013

BALESTRIERE FARIELLO

By: /s/ John G. Balestriere
John G. Balestriere
Attorneys for Relator John C. Prather

DATED: April 11, 2013

MUNGER, TOLLES & OLSON LLP

By: /s/ Jonathan H. Blavin
Jonathan H. Blavin
*Attorneys for Defendant
Cellco Partnership d/b/a Verizon
Wireless*

DATED: April 11, 2013

PERKINS COIE LLP

By: /s/ David F. Taylor
David F. Taylor
*Attorneys for Defendants Sprint Nextel
Corporation and Qwest Communications
International Inc.*

DATED: April 11, 2013

SIDLEY AUSTIN LLP

By: /s/ Douglas A. Axel
Douglas A. Axel
Attorneys for Defendant AT&T Inc.

DATED: April 11, 2013

WILLIAMS & CONNOLLY LLP

By: /s/ Edward C. Barnidge
Edward C. Barnidge (*pro hac vice*)
*Attorneys for Defendant Sprint Nextel
Corporation*

ATTESTATION UNDER GENERAL ORDER 45, SECTION X.B.

I have the authorization of all counsel identified herein to submit this Stipulation and
[Proposed] Order.

/s/ John G. Balestriere

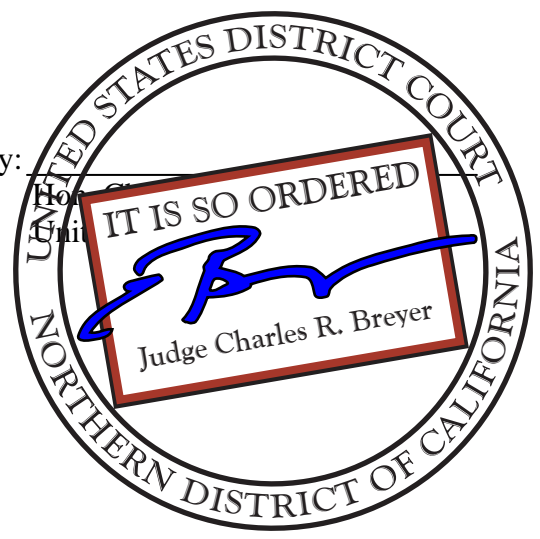
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ORDER

Pursuant to the parties' stipulation set forth above, IT IS SO ORDERED.

DATED: April 17, 2013

By:



1 **CERTIFICATE OF SERVICE**

2 I, Andrew Wolfram, declare:

3 I am a citizen of the United States and am employed in the County of New York, State of New York.
4 I am over the age of 18 years and am not a party to the within action. My business address is
5 Balestriere Fariello, 225 Broadway, Suite 2900, New York, New York 10007. I am personally
6 familiar with the business practices of Balestriere Fariello. On April 11, 2013 I caused the following
7 document to be served on the following parties by the manner specified below:

8 **STIPULATION AND [PROPOSED] ORDER RESCHEDULING ARGUMENT ON**
9 **DEFENDANTS' JOINT MOTION TO DISMISS AMENDED COMPLAINT**

10 David F. Taylor
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14 DFTaylor@perkinscoie.com
15 [By ECF]

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28 Douglas A. Axel
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[By ECF]

22 XXX (ON CM/ECF) I electronically filed and served the document on CM/ECF.

23 I declare under penalty of perjury under the laws of the United States of America that the above is
24 true and correct and that this declaration was executed at New York, New York, on April 11, 2013.

25 /s/ Andrew Wolfram
26 Andrew Wolfram