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9 Attorneys for Defendant
SPRINT NEXTEL CORPORATION

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12 UNITED STATES OF AMERICA, *ex rel.*,)
 13 John C. Prather, *et al.*)

14 Plaintiff/Relator)

15 vs.)

16 AT&T INC., CELLCO PARTNERSHIP d/b/a)
 17 VERIZON COMMUNICATIONS, QWEST)
 COMMUNICATIONS INTERNATIONAL,)
 18 INC., SPRINT NEXTEL CORP., and)
 TELEPHONE AND DATA SYSTEMS, INC.,)

19 Defendants.)
 20)
 21)
 22)
 23)

Case No. 3:09-cv-2457 (BZ)

**JOINT STIPULATION AND [PROPOSED]
 ORDER REGARDING HEARING DATE
 AND BRIEFING SCHEDULE FOR
 DEFENDANTS' RESPONSES TO
 RELATOR'S COMPLAINT**

1 Relator John C. Prather and Defendants AT&T Inc., Cellco Partnership d/b/a Verizon
2 Wireless, Sprint Nextel Corp., and Telephone and Data Systems, Inc. (collectively, "Defendants"),
3 by and through their respective counsel and subject to the approval of the Court, hereby stipulate as
4 follows:

5 **WHEREAS**, on June 3, 2009, Relator filed the initial complaint ("Complaint") in the above-
6 referenced matter;

7 **WHEREAS**, Defendants were served with Relator's Complaint between November 4, 2011
8 and November 8, 2011;

9 **WHEREAS**, Relator and Defendants have agreed to coordinate scheduling with respect to
10 Defendants' responses to Relator's Complaint;

11 **WHEREAS**, Relator and Defendants further agree that by entering into this stipulation,
12 Defendants do not waive any defenses or submit to the jurisdiction of the Court or to the judicial
13 assignment;

14 **NOW, THEREFORE**, subject to the approval of the Court, Relator and Defendants stipulate as
15 follows:

16 1. Defendants will each answer or respond by motion to the Complaint on or before
17 January 17, 2012;

18 2. Relator shall file any opposition(s) to Defendants' motion(s) on or before February
19 ²¹~~28~~, 2012;

20 3. Defendants shall file any reply brief(s) in support of their motion(s) on or before
21 ¹³March ~~20~~, 2012;

22 4. Defendants' motion(s) will be heard on April ¹¹~~18~~, 2012 at 10:00 a.m.

23 **IT IS SO STIPULATED**

24
25 Dated: November 23, 2011

BALESTRIERE FARIELLO

27 By: /s/ John G. Balestriere

John G. Balestriere

Attorneys for Plaintiff John C. Prather

1 Dated: November 23, 2011

SIDLEY AUSTIN LLP

2
3 By: /s/ Douglas A. Axel
4 Douglas A. Axel
Attorneys for Defendant AT&T Inc.

5 Dated: November 23, 2011

MUNGER, TOLLES & OLSON LLP

6
7 By: /s/ Jerome C. Roth
8 Jerome C. Roth
9 Attorneys for Defendant Cellco Partnership
d/b/a Verizon Wireless

10 Dated: November 23, 2011

PERKINS COIE LLP

11 By: /s/ Farschad Farzan
12 David F. Taylor
13 Farschad Farzan
14 Attorneys for Defendant Sprint Nextel
Corporation

15 Dated: November 23, 2011

SIDLEY AUSTIN LLP

16
17 By: /s/ Richard J. O'Brien
18 Richard J. O'Brien
19 Attorneys for Defendant Telephone and Data
Systems, Inc.

20 ***

21 ~~PURSUANT TO STIPULATION, IT IS SO ORDERED~~

22 Dated: November 29, 2011

23 
24 Hon. Bernard Zimmerman
25 Magistrate Judge, United States District Court

1 PROOF OF SERVICE

2 I, June Starr, declare:

3 I am a citizen of the United States and I am employed in the County of King, State of
4 Washington. I am over the age of 18 and not a party to the within action. My business address is
5 Perkins Coie LLP, 1201 Third Avenue, Suite 4800, Seattle, Washington 98101.

6 On November 23, 2011, I served the foregoing document described as: **JOINT**
7 **STIPULATION AND [PROPOSED] ORDER REGARDING HEARING DATE AND**
8 **BRIEFING SCHEDULE FOR DEFENDANTS’ RESPONSES TO RELATOR’S**
9 **COMPLAINT** on all interested parties in this action as follows:

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13 San Francisco, CA 93103
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22 [x] (ON CM/ECF) I electronically filed and served the document on CM/ECF.

23 [x] (BY MAIL) I deposited such envelope in the mail at Seattle, Washington.

24 The envelope was mailed with postage thereon fully prepaid. I am “readily familiar” with the firm’s
25 practice of collection and processing correspondence for mailing. It is deposited with the U.S. postal
26 service on that same day in the ordinary course of business. I am aware that on motion of a party
27 served, service is presumed invalid if the postal cancellation date or postage meter date is more than
28 one day after the date of deposit for mailing in the affidavit.

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I declare that I am a registered user of the CM/ECF system.

I served the foregoing document by electronically filing the document via the CM/ECF system maintained by the court.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on November __, 2011, at Seattle, WA 98101.

s/ June Starr
June Starr