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7 Attorneys for Defendant,
 ZYNGA INC.

8
 9 **IN THE UNITED STATES DISTRICT COURT**
 10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11
 12 REBECCA SWIFT, individually, on behalf of the
 general public, and all others similarly situated,

13 Plaintiff,

14 v.

15 ZYNGA GAME NETWORK INC.;
 16 ADKNOWLEDGE, INC.; D/B/A SUPER
 REWARDS; KITN MEDIA USA, INC., D/B/A
 17 SUPER REWARDS,

18 Defendants.

Case No.: CV 09-5443 EDL

JOINT STIPULATED SCHEDULE

Complaint Filed: November 17, 2009

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 21 **JOINT STIPULATED SCHEDULE**

22 The below-named counsel of record for Plaintiff, Zynga, Inc., and Adknowledge, Inc. (“the
 23 Parties”) have met and conferred and agreed to the following in connection with the schedule of this
 24 case.

25 1. As the parties had previously agreed at Plaintiff’s request to continue the hearing date on
 26 Defendant Zynga’s motion to compel arbitration to July 26, 2011 (Dkt. 58), Plaintiff agrees to
 27 continue the hearing on its motion to compel discovery (Dkt. 60) to August 2, 2011, which is seven
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1 days after the hearing on Zynga's motion to compel arbitration. Plaintiff agrees to re-notice her
2 motion for August 2, 2011.

3 2. The Parties agree that Plaintiff may take the deposition of Zynga's declarant Sean Hanley
4 on June 16, 2011. The deposition will be limited to the issues that bear on Zynga's motion to
5 compel arbitration. The Parties agree that Zynga's production of the witness does not waive Zynga's
6 asserted right to compel arbitration.

7 3. The Parties agree that if Plaintiff submits a declaration in support of her opposition to
8 Zynga's motion to compel arbitration, the declarant will be made available for deposition between
9 the time the opposition is filed and Zynga's reply due date, and have provisionally agreed on either
10 July 7th or 8th for this deposition. The parties agree that the scope of the deposition of the declarant
11 will be limited to the issues that bear on Zynga's motion to compel arbitration, and that Defendants'
12 taking this limited-scope deposition does not waive Defendants' asserted right to compel arbitration.

13 4. Other than the discovery described in paragraphs 2 and 3 above, Zynga has asserted that it
14 has a right to stay all other discovery directed at Zynga pending the resolution of Zynga's motion to
15 compel arbitration. Zynga had intended to file a motion to stay discovery pending resolution of its
16 motion to compel arbitration in response to Plaintiff's motion to compel discovery, but in order to
17 avoid unnecessary motion practice, the Parties have entered into this Stipulation.

18 5. The Parties further agree that Zynga's opposition to plaintiff's motion to compel
19 discovery will be due July 12, 2011 and that Plaintiff's reply brief will be due July 19, 2011.

20 6. In light of the pending motions to compel arbitration and to compel discovery, the Parties
21 agree to the following modification of the previously joint stipulated case schedule:

22 November 22, 2011

Plaintiff files motion for class
23 certification, including any expert
24 declarations. Any experts for Plaintiff
will be made available for deposition
25 one week after the motion is filed.

26 January 24, 2012

27 Defendants file their oppositions to
28 Plaintiff's motion for class certification,
including any expert declarations. Any
experts for Defendants will be made

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available for deposition one week after the opposition is filed.

February 14, 2012

Plaintiff files Reply in support of motion for class certification.

March 13, 2012

Hearing on Plaintiff's motion for class certification.

7. This Stipulation is without prejudice to the rights asserted in Defendants' motion to compel arbitration.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD FOR PLAINTIFF AND ZYNGA:

KERSHAW, CUTTER & RATINOFF, LLP

DATED: June 3, 2011

/s/ John R. Parker, Jr.
John R. Parker, Jr.
Attorneys for Plaintiff, REBECCA SWIFT

DUANE MORRIS LLP

DATED: June 3, 2011

/s/ Richard L. Seabolt
Richard L. Seabolt
Attorneys for Defendant, ZYNGA INC.


NEWMAN & DUWORS

DATED: June 3, 2011

/s/ Derek A. Newman
Derek A. Newman
Derek Linke
Attorneys for Defendants,
ADKNOWLEDGE, INC. and
KITN MEDIA USA, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED

Date: 6/6/2011


Hon. Elizabeth J. Laporte
United States Magistrate Judge