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20 IN THE UNITED STATES DISTRICT COURT

21 NORTHERN DISTRICT OF CALIFORNIA

22 MySpace, Inc., a Delaware corporation,

23 Plaintiff,

24 v.

25 GraphOn Corporation, a Delaware
corporation,

26 Defendant.
27

CASE NO. 3:10-CV-00604-CRB

CASE NO. 3:10-CV-01156-CRB

**JOINT STIPULATION TO
CONSOLIDATE RELATED CASES;
[PROPOSED] ORDER**

1 GraphOn Corporation,
2 Third-Party Plaintiff,

3 vs.

4 Fox Audience Network, Inc.,
5 Third-Party Defendant.

6 craigslist, Inc.

7 Plaintiff,

8 vs.

9 GraphOn Corporation,

10 Defendant.

11 The parties in *craigslist v. GraphOn*, Case No. 3:10-CV-01156-CRB and *MySpace v.*
12 *GraphOn*, Case No. 3:10-CV-00604-CRB, by and through their counsel of record, stipulate as
13 follows:

14 Pursuant to the Local Rule 7-12 and Fed.R.Civ.P. 42, the parties in the above-captioned
15 matters stipulate and request a court order to consolidate the two related cases *MySpace v.*
16 *GraphOn*, Case No. 3:10-CV-00604-CRB and *craigslist v. GraphOn*, Case No. 3:10-CV-01156-
17 EMC as follows:

18 WHEREAS, the *MySpace* complaint was filed on February 2, 2010;

19 WHEREAS, the *craigslist* complaint was filed on March 18, 2010; and

20 WHEREAS, the Court determined that the two cases were related within the meaning of
21 Civil Local Rule 3-12(a) and issued a Related Cases Order in both cases on April 15, 2010 to
22 that effect;

23 WHEREAS, counsel for the parties have conferred, and the parties are in agreement that
24 the *craigslist* action should be consolidated with the *MySpace* action for all purposes because the
25 cases involve similar complaints and common questions of law or fact, and because
26

1 consolidation would advance the interests of judicial economy;

2 **IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned
3 counsel for Plaintiffs and Defendant, that:

4 1. Pursuant to Federal Rule of Civil Procedure 42(a), the above-captioned actions
5 are hereby consolidated for all purposes into one action.

6 2. These actions shall be referred to herein as the "Consolidated Actions." The
7 Master Docket and Master File for the Consolidated Actions shall be Civil Action No. 3:10-CV-
8 00604-CRB.

9 3. All orders, pleadings, motions and other documents shall, when filed and
10 docketed in the Master file, be deemed filed and docketed in each individual case to the extent
11 applicable.

12 4. This stipulation is without prejudice to any other rights that any party may have.

13 Dated: May 11, 2010

By: /s/ Michael D. Rounds

Michael D. Rounds

Melissa P. Barnard (*Pro Hac Vice*)

Adam Yowell (*Pro Hac Vice*)

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Attorneys for Defendant GraphOn Corp

1 **SIGNATURE ATTESTATION**

2 I am the ECF User whose identification and password are being used to file the foregoing
3 *Stipulation to Consolidate Related Cases*. In compliance with General Order 45.X.B, I hereby
4 attest that the other signatories to this filing have concurred in this filing.
5

6 Dated: May 11, 2010

Respectfully submitted,

7 WATSON ROUNDS

8 By /s/ Michael D. Rounds

Michael D. Rounds

9 Attorney for Defendant GraphOn Corp.

~~PROPOSED~~ ORDER

The above stipulation having been considered and good cause appearing therefore,

IT IS SO ORDERED.

DATED: May 13, 2010

UNITED STATES DISTRICT COURT

