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 17 **UNITED STATES DISTRICT COURT**
 18 **NORTHERN DISTRICT OF CALIFORNIA**

19	PENELOPE HOUSTON, an individual, GREG)	Case No. C10-01881 JSW
20	INGRAHAM, an individual, JAMES)	
21	WILSEY, an individual, and DANIEL)	STIPULATION AND PROPOSED
22	O'BRIEN, an individual,)	ORDER RE: EXTENSION OF TIME
	Plaintiffs,)	TO FILE RESPONSE TO SECOND
)	AMENDED COMPLAINT
23	v.)	Hon. Jeffrey S. White, Presiding
24)	
25	DAVID FERGUSON, an individual dba CD)	(E-Filing)
26	PRESENTS, BURIED TREASURE MUSIC)	
27	and ANARCHY ANTHEMS; BURIED)	
28	TREASURE MUSIC, BURIED TREASURE)	
	INC., a Corporation of unknown jurisdiction;)	
	INDEPENDENT ONLINE DISTRIBUTION)	
	ALLIANCE, INC., a California Corporation;)	

TUNECORE, INC., a Delaware Corporation;)
and RHAPSODY INTERNATIONAL, INC., a)
Delaware Corporation,)
Defendants.)

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, Plaintiffs PENELOPE HOUSTON, an individual, GREG INGRAHAM, an individual, JAMES WILSEY, an individual, and DANIEL O’BRIEN, an individual (collectively, “Plaintiffs”), on the one hand, and Defendant DAVID FERGUSON, an individual (“Defendant”), on the other hand, hereby agree and stipulate as follows:

WHEREAS, Plaintiffs filed a Second Amended Complaint on January 21, 2011; and

WHEREAS, Defendant Ferguson’s response to the Second Amended Complaint is due by February 7, 2011; and

WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and

WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and

WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and

WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;

NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:

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