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9 Attorneys for Plaintiffs

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 MICHAEL E. DAVIS, aka TONY DAVIS,  
14 VINCE FERRAGAMO, and BILLY JOE  
15 DUPREE, on behalf of themselves and all  
others similarly situated,

16 Plaintiffs,

17 vs.

18 ELECTRONIC ARTS, INC.,

19 Defendant.

CASE NO. 10-cv-3328 RS

**STIPULATION AND ~~[PROPOSED]~~  
ORDER RE CONTINUING HEARING  
DATE AND SETTING BRIEFING  
SCHEDULE FOR PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION AND EA'S  
MOTION FOR SUMMARY JUDGMENT**

1 Pursuant to Local Rule 6-2, the parties hereby submit this stipulated request for an Order  
2 continuing the hearing date and setting the briefing schedule on Plaintiffs Michael E. Davis’s,  
3 Vince Ferragamo’s, and Billy Joe Dupree’s (“Plaintiffs”) Motion for Class Certification (Dkt. No.  
4 332) and defendant Electronic Arts Inc.’s (“EA”) Motion for Summary Judgment (“MSJ”) (Dkt.  
5 345).

6  
7 WHEREAS, on January 26, 2018 Plaintiffs filed a motion to certify the class. (Dkt. No.  
8 332).

9 WHEREAS, on February 9, 2018, this Court issued an Order directing the parties to  
10 “negotiate a mutually-agreeable schedule for briefing the summary judgment motion and motion  
11 for class certification, with condition that all briefing be completed no later than two weeks prior  
12 to the hearing. (Dkt. No. 342).

13 WHEREAS, on February 16, 2018, EA filed its motion for Summary Judgement and  
14 noticed the motion for hearing on April 19, 2018. (Dkt. No. 345).

15 WHEREAS, on February 28, 2018, this Court issued an Order continuing the hearing on  
16 Plaintiffs’ motion to certify the Class to April 19, 2018. (Dkt. No. 347).

17 WHEREAS, the parties have met and conferred and negotiated a briefing schedule and  
18 confirmed the Court’s availability for hearing Plaintiffs’ motion to certify the class and EA’s  
19 motion for summary judgment on April 26, 2018, at 1:30 p.m.

20 THEREFORE, the parties, by and through their undersigned counsel, hereby stipulate and  
21 respectfully request as follows:

22 **STIPULATION**

23 1. The hearings on Plaintiffs’ motion to certify the class and EA’s motion for  
24 summary judgment be continued for one week to April 26, 2018, at 1:30 p.m.

25 2. Plaintiffs’ Opposition to EA’s motion for summary judgment is due March 29,  
26 2018.

27 3. The reply briefs on Plaintiffs’ motion to certify the class and EA’s motion for  
28 summary judgment are due on April 12, 2018.

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Both parties agree to the stipulation as indicated by their signatures below. The parties respectfully request that the Court approve the stipulation. A proposed Order is filed herewith.

Dated: March 19, 2018

HENRI LAW GROUP

/s/ Brian D. Henri  
BRIAN D. HENRI  
Attorneys for Plaintiffs MICHAEL  
E. DAVIS, VINCE FERRAGAMO, and  
BILLY JOE DUPREE

Dated: March 19, 2018

KEKER, VAN NEST, & PETERS, LLP

/s/ R. James Slaughter  
R. JAMES SLAUGHTER  
Attorneys for Defendant  
ELECTRONIC ARTS INC.

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~~PROPOSED~~ ORDER

The Court, having considered the above joint request and good cause appearing therefore,  
HEREBY ORDERS as follows:

1. The hearings on Plaintiffs’ motion to certify the class and EA’s motion for summary judgment scheduled for April 19, 2018, at 1:30 p.m. are hereby continued to April 26, 2018 at 1:30 p.m.
2. The parties negotiated briefing schedule is approved. Plaintiffs’ opposition to EA’s motion for summary judgment is due March 29, 2018. The reply briefs on Plaintiffs’ motion to certify the class and EA’s motion for summary judgment shall be filed no later than April 12, 2018.

PURSUANT TO PARTIES STIPULATION, IT IS SO ORDERED.

Dated: 3/19, 2018



THE HONORABLE RISHARD SEEBORG  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA