

E-Filed 12/1/11

BLOOD HURST & O'REARDON, LLP

1 BLOOD HURST & O'REARDON, LLP
 TIMOTHY G. BLOOD (149343)
 2 THOMAS J. O'REARDON II (247952)
 PAULA M. ROACH (254142)
 3 600 B Street, Suite 1550
 San Diego, CA 92101
 4 Telephone: 619/338-1100
 619/338-1101 (fax)
 5 tblood@bholaw.com
 toreardon@bholaw.com
 6 proach@bholaw.com

7 CASEY GERRY SCHENK FRANCAVILLA
 BLATT & PENFIELD, LLP
 8 DAVID S. CASEY, JR. (60768)
 FREDERICK SCHENK (86392)
 9 GAYLE BLATT (122048)
 110 Laurel Street
 10 San Diego, CA 92101
 Telephone: 619/238-1811
 11 619/544-9232 (fax)
 dcasey@cglaw.com
 12 fschenk@cglaw.com
 gblatt@cglaw.com

Attorneys for Plaintiff

[Additional counsel appear on signature page.]

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN FRANCISCO DIVISION

19 HENRY GARCIA, On Behalf of Himself,
 All Others Similarly Situated and the
 20 General Public,

Plaintiff,

v.

23 SONY COMPUTER ENTERTAINMENT
 AMERICA, LLC,

Defendant.

Case No.: 3:11-cv-02246-RS

CLASS ACTION

STIPULATION AND [~~PROPOSED~~] ORDER
 SETTING BRIEFING SCHEDULE ON
 DEFENDANT ACTIVISION'S MOTION TO
 DISMISS

Judge: Richard Seeborg
 Courtroom: 3, 17th Floor
 Date Filed: May 6, 2011
 Trial Date: TBD

1 Counsel for defendant Activision Blizzard, Inc. ("Activision") and plaintiff Henry
2 Garcia have conferred regarding a briefing schedule for Activision's motion to dismiss Mr.
3 Garcia's Second Amended Complaint and have agreed that Mr. Garcia's opposition to
4 Activision's motion to dismiss will be due on or before January 16, 2012, Activision's reply in
5 support of its motion to dismiss will be due on or before February 2, 2012, and Activision's
6 motion will be heard on February 16, 2012, at 1:30 p.m.

7 Whereas, the Court previously ordered, pursuant to the parties' stipulation, that
8 Activision's response to the Second Amended Complaint is due on or before December 19,
9 2011. The parties have not previously requested a modification of the remaining briefing dates
10 or deadlines.

11 Whereas, the two weeks plaintiff has to respond to Activision's motion to dismiss
12 pursuant to Local Rule fall directly over the holidays (December 19, the day Activision's
13 motion is due, to January 2, 2012, the day plaintiff's opposition is currently due according to
14 Local Rule). Plaintiff seeks additional time to respond to accommodate counsel's holiday
15 schedules.

16 Based on the foregoing and pursuant to Local Rule 6-1 of the Northern District of
17 California, the parties, by and through their attorneys of record, hereby stipulate and agree that
18 Mr. Garcia's opposition to Activision's motion to dismiss will be due on or before January 16,
19 2012, Activision's reply in support of its motion to dismiss will be due on or before February
20 2, 2012, and the hearing on Activision's motion will be held on February 16, 2012, at 1:30
21 p.m.

22 IT IS SO STIPULATED.

23
24 Dated: November 30, 2011

BLOOD HURST & O'REARDON, LLP
TIMOTHY G. BLOOD (149343)
THOMAS J. O'REARDON II (247952)
PAULA M. ROACH (254142)

25
26
27 By: s/ Timothy G. Blood
TIMOTHY G. BLOOD
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

600 B Street, Suite 1550
San Diego, CA 92101
Telephone: 619/338-1100
619/338-1101 (fax)
tblood@bholaw.com
toreardon@bholaw.com
proach@bholaw.com

CASEY GERRY SCHENK FRANCAVILLA
BLATT & PENFIELD, LLP
DAVID S. CASEY, JR. (60768)
FREDERICK SCHENK (86392)
GAYLE BLATT (122048)
110 Laurel Street
San Diego, CA 92101
Telephone: 619/238-1811
619/544-9232 (fax)
dcasey@cglaw.com
fschenk@cglaw.com
gblatt@cglaw.com

DAVID LIZERBRAM & ASSOCIATES
DAVID LIZERBRAM (222007)
2247 San Diego Avenue, Suite 235
San Diego, CA 92110
Telephone: 619/517-2272
619/393-0498 (fax)
david@lizerbramlaw.com

Attorneys for Plaintiff

Dated: November 30, 2011

DLA PIPER LLP (US)
LUANNE SACKS (120811)
CARTER W. OTT (221660)

By: s/ Carter W. Ott
CARTER W. OTT

555 Mission Street, Suite 2400
San Francisco, CA 94105
Telephone: 415/836-2500
415/836-2501 (fax)
Luanne.Sacks@dlapiper.com
Carter.Ott@dlapiper.com

Attorneys for Defendant

1 ~~PROPOSED~~ ORDER

2 PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED:

3 Mr. Garcia shall file his opposition to Activision's motion to dismiss the Second
4 Amended Complaint on or before January 16, 2012, Activision shall file its reply in support of
5 its motion to dismiss on or before February 2, 2012, and the hearing on Activision's motion
6 shall be held on February 16, 2012, at 1:30 p.m.

7
8 DATED: 12/1/11

9 By: 
10 HONORABLE RICHARD SEEBORG
11 UNITED STATES DISTRICT COURT JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BLOOD HURST & O'REARDON, LLP

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed November 30, 2011.

s/ Timothy G. Blood

TIMOTHY G. BLOOD

BLOOD HURST & O'REARDON, LLP
600 B Street, Suite 1550
San Diego, CA 92101
Telephone: 619/338-1100
619/338-1101 (fax)
tblood@bholaw.com

BLOOD HURST & O'REARDON, LLP

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28