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14 Attorneys for Defendant  
 15 OPENFEINT, INC.

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

19 MATTHEW HINES, JENNIFER AGUIRRE,  
 20 ALEXANDER HERNANDEZ, Individuals, on  
 21 Behalf of Themselves and Others Similarly  
 22 Situated,

23 Plaintiffs,

24 v.

25 OPENFEINT, INC., a Delaware Corporation,  
 26 GREE INTERNATIONAL, INC., a California  
 27 Corporation;

28 Defendants.

CASE NO. 3:11-cv-03084 EMC

**STIPULATION AND PROPOSED ORDER  
 TO EXTEND BRIEFING SCHEDULE FOR  
 DEFENDANT OPENFEINT'S  
 PROSPECTIVE MOTION TO DISMISS**

Date Action Filed: June 22, 2011  
 Trial Date: Not Set

WHEREAS, on September 6, 2011, Plaintiffs Matthew Hines and Alexander Hernandez (“Plaintiffs”) filed an Amended Class Action Complaint (“Complaint”) against Defendant OpenFeint, Inc. (“OpenFeint”) in this matter;

WHEREAS, pursuant to stipulation and court order, OpenFeint currently has until October 11, 2011 to move to dismiss the Complaint, Plaintiffs have until November 15, 2011 to

1 oppose OpenFeint’s motion, OpenFeint has until December 6, 2011 to file a reply in support of its  
2 motion, and OpenFeint’s motion is scheduled for hearing on January 20, 2012 (Docket No. 26);

3 WHEREAS, due to various scheduling issues, OpenFeint’s counsel has requested, and  
4 Plaintiffs’ counsel has agreed, to extend the briefing schedule by a short period of time but to  
5 maintain the current hearing date, subject to the Court’s approval and availability;

6 NOW, THEREFORE, the parties hereby stipulate and request entry of an order as follows:

7 1. OpenFeint shall move to dismiss or otherwise respond to the Complaint no later than  
8 October 21, 2011;

9 2. Plaintiffs shall oppose OpenFeint’s motion to dismiss no later than December 2, 2011;

10 3. OpenFeint shall reply to Plaintiffs’ opposition to the motion to dismiss no later than  
11 January 6, 2011; and

12 4. The hearing date for OpenFeint’s motion to dismiss shall remain as Friday,  
13 January 20, 2012, at 1:30 p.m.

14 Other than as set forth above, the above-referenced deadlines will not alter the date of any  
15 event or deadline already fixed by Court order. The parties previously stipulated to extend  
16 OpenFeint’s time to respond to the initial complaint (*see* Docket No. 12), and, as noted above, the  
17 parties stipulated, and this Court ordered, the existing briefing schedule with respect to the amended  
18 Complaint. *See* Docket No. 26

19 Respectfully submitted,

20 DATED: September 26, 2011

GIBSON, DUNN & CRUTCHER LLP

21  
22 By:           /s/ S. Ashlie Beringer            
23 S. Ashlie Beringer

24 Attorneys for Defendant  
25 OPENFEINT, INC.

26 [Signatures continued on page 3.]  
27  
28

1 DATED: September 26, 2011

MILBERG LLP

2  
3 By:           /s/ Peter E. Seidman            
Peter E. Seidman

4  
5 Attorneys for Plaintiffs  
6 MATTHEW HINES and  
ALEXANDER HERNANDEZ

7  
8 **ATTORNEY ATTESTATION**

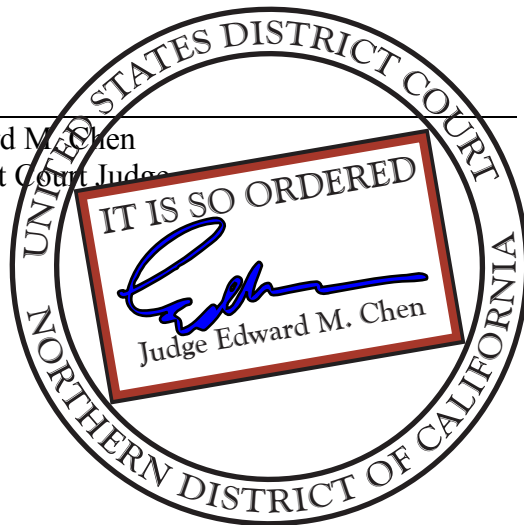
9 Pursuant to General Order 45, I, S. Ashlie Beringer, hereby attest that concurrence in the  
10 filing of this document has been obtained from Peter E. Seidman.

11 DATED: September 26, 2011

          /s/ S. Ashlie Beringer            
S. Ashlie Beringer

12  
13  
14  
15 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

16  
17  
18 Hon. Edward M. Chen  
U.S. District Court Judge



19  
20 101155408.1

1 **DECLARATION OF SERVICE**

2 I, Lorraine Nishiguchi, declare as follows:

3 I am employed in the County of Santa Clara, State of California; I am over the age of 18 years  
4 and am not a party to this action; my business address is 1881 Page Mill Road, Palo Alto, California  
5 94304, in said County and State. On September 26, 2011, I served the within:

6 **STIPULATION AND PROPOSED ORDER TO EXTEND BRIEFING SCHEDULE**  
7 **FOR DEFENDANT OPENFEINT’S PROSPECTIVE MOTION TO DISMISS**

8 to all named counsel of record as follows:



**BY ECF (ELECTRONIC CASE FILING):** I e-filed the above-detailed documents  
utilizing the United States District Court, Northern District of California’s mandated ECF  
10 (Electronic Case Filing) service. Counsel of record are required by the Court to be registered e-  
11 filers, and as such are automatically e-served with a copy of the documents upon confirmation of  
e-filing.

12 I certify under penalty of perjury that the foregoing is true and correct, that the foregoing  
13 document(s) were printed on recycled paper, and that this Declaration of Service was executed by the  
14 undersigned on September 26, 2011, at Palo Alto, California.

15  
16 /s/ Lorraine Nishiguchi

17 LORRAINE NISHIGUCHI