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 12 *(Additional Counsel listed on Signature Pages)*

13 **IN THE UNITED STATES DISTRICT COURT**
 14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

17 *In re Google Inc., Android Consumer Privacy*
 18 *Litigation*

CASE No. 11 2264 JSW

MDL No. 2264

20 This Document Relates to
 21 ALL CASES

STIPULATION AND ~~PROPOSED~~
ORDER RE: MODIFICATION OF
PAGE LIMIT AS MODIFIED HEREIN

22 TROY YUNCKER, EDGAR DURAN, ROBERT
 23 HODSON, AND RALPH PETROSINO,
 24 individually and on behalf of all others similarly
 situated,

Case No. 11 3113 JSW

25 Plaintiff,

26 v.

27 PANDORA MEDIA, INC.,

28 Defendant.

1 The parties in the above-entitled actions, by and through their respective attorneys,
2 hereby stipulate to the following:

3 WHEREAS, plaintiffs in the *Android* action have filed a Second Amended Class Action
4 Complaint (“SAC”) that alleges claims for relief against defendant Google acting in multiple
5 capacities;

6 WHEREAS, the *Android* action involves nine separate cases coordinated in this Court for
7 pretrial proceedings by the Judicial Panel on Multidistrict Litigation;

8 WHEREAS, plaintiff in the *Yuncker* action has filed an SAC that alleges multiple
9 separate claims for relief against defendant Pandora;

10 WHEREAS, on April 23, 2013, the Court ordered that Google’s and Pandora’s responses
11 to the SACs filed in their respective actions, including any Motions to Dismiss, shall be filed on
12 or before May 30, 2013, that if Google and/or Pandora chooses to file a Motion to Dismiss,
13 Plaintiffs’ Oppositions shall be filed on or before June 20, 2013, and that Google’s and
14 Pandora’s Replies to Plaintiffs’ Oppositions shall be filed and served on or before July 8, 2013;

15 WHEREAS, Google and Pandora intend to file a Motion to Dismiss each of the claims
16 asserted in the respective SACs;

17 WHEREAS, this Court’s Civil Standing Orders specify that a brief in support of, in
18 opposition to, or in reply to a motion, except motions for summary judgment or claim
19 construction, shall not exceed 15 pages;

20 WHEREAS, Google’s Motion to Dismiss will require separate arguments as to the
21 sufficiency of each of the claims asserted in the *Android* SAC, as well as separate arguments
22 relating to the different capacities in which Google has been sued, which arguments collectively
23 involve complex areas of federal and state law and will require space beyond the 15-page default
24 limit set by this Court’s Civil Standing Order;

25 WHEREAS, Pandora’s Motion to Dismiss will require separate arguments as to the
26 sufficiency of each of the claims asserted in the *Yuncker* SAC, including as those claims apply to
27 three newly added plaintiffs who used different versions of the Pandora mobile applications,
28

1 which arguments involve complex areas of law and will require space beyond the 15-page
2 default limit set by this Court's Civil Standing Order;

3 WHEREAS, the parties to the *Android* and *Yuncker* actions all stipulated to extend the
4 page limitations for the first Motions to Dismiss filed in their respective actions and the Court
5 entered those stipulations (*Android* Dkt No. 28, *Yuncker* Dkt No. 53);

6 WHEREAS, counsel for Google, Pandora, and the *Android* and *Yuncker* plaintiffs have
7 met and conferred, and agree that the page limit for both Google's and Pandora's Motions to
8 Dismiss, plaintiffs' Oppositions to both Google's and Pandora's motions, and both Google's and
9 Pandora's Replies in support of their respective motions should be increased;

10 IT IS SO AGREED that:

- 11 (1) Google and Pandora shall both be permitted to file a brief in support of their
12 respective Motions to Dismiss not to exceed 25 pages;
- 13 (2) Plaintiffs in both the *Android* and *Yuncker* actions shall be permitted to file
14 Opposition briefs in response to the Motions to Dismiss in their respective actions not
15 to exceed 25 pages; and
- 16 (3) Google and Pandora shall both be permitted to file Reply briefs in support of their
17 respective Motions to Dismiss not to exceed 15 pages.
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1 DATE: May 16, 2013

/s/ Michael H. Rubin

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14 DATE: May 16, 2013

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Interim Class Counsel

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DATE: May 16, 2013

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DATE: May 16, 2013

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***Attorneys for Pandora Media, Inc. in
Case No. 11 CV 3113 JSW***

1 ~~PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING, IT IS SO~~
2 ~~ORDERED.~~ The Court is familiar with the facts of this case and issues presented. The Court will grant the
3 request for additional pages, but it does not find good cause to grant twenty-five pages.

4 Accordingly, the opening and opposition briefs shall not exceed twenty pages.
5 The replies shall not exceed twelve pages.
6 SIGNED this 17th day of May, 2013.

7 
8 JEFFREY S. WHITE
9 UNITED STATES DISTRICT JUDGE

10 It is FURTHER ORDERED that the Plaintiffs in each of these cases shall file red-lined versions of the
11 complaint by no later than May 31, 2013.
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