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SEAN REIS (sreis@edelson.com)  
EDELSON MCGUIRE, LLP  
30021 Tomas Street, Suite 300  
Rancho Santa Margarita, California 92688  
Telephone: (949) 459-2124  
Facsimile: (949) 459-2123

Attorneys for Plaintiff Jerome Damasco

MARC RACHMAN (mrachman@dglaw.com)  
DAVIS & GILBERT LLP  
1740 Broadway  
New York, NY 10019  
Telephone (212) 468-4800  
Facsimile: (212) 468-4888

Attorneys for Defendant PHD Media L.L.C.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JEROME DAMASCO, individually and on  
behalf of a class of similarly situated  
individuals,

Plaintiff,

v.

PHD MEDIA L.L.C., a Delaware limited  
liability company,

Defendant.

) Case No. 5:11-cv-05353-RS  
)  
) **STIPULATION AND**  
) **[PROPOSED] ORDER**  
) **EXTENDING TIME FOR**  
) **DEFENDANT PHD MEDIA**  
) **L.L.C. TO RESPOND TO**  
) **COMPLAINT**  
)  
) Hon. Richard Seeborg  
) Action Filed: November 3, 2011  
)  
)

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**STIPULATION AND PROPOSED ORDER RE: EXTENSION OF TIME TO RESPOND**

1 WHEREAS, on November 4, 2011 Plaintiff filed his Class Action Complaint, and  
2 Defendant was served with the Complaint on November 16, 2011;

3 WHEREAS, the Parties have filed several stipulations to extend the deadline by  
4 which Defendant must respond to Plaintiff's Complaint, and on March 1, 2012, the Court  
5 entered an Order extending the deadline for Defendant to file its responsive pleading to  
6 March 14, 2012 (Dkt. 19);

7 WHEREAS, the Parties, along with certain third-parties involved in the conduct at  
8 issue in this case, have engaged in settlement discussions and request an additional sixty (60)  
9 days to complete those discussions;

10 WHEREAS, in light of the Parties' advanced settlement discussions, and in the  
11 unlikely event those discussions fail to result in an executed settlement agreement, the Parties  
12 agree to extend the deadline for Defendant to file its responsive pleading in this case;

13 WHEREAS, Defendant does not seek an extension for the purpose of unnecessarily  
14 delaying this action or for any other improper purpose;

15 WHEREAS, an extension of time would not alter the date of any event or deadline  
16 already fixed by the Court, and the Parties do not currently intend to seek any additional  
17 extensions;

18 WHEREAS, Plaintiff has no objection to extending the deadline by which Defendant  
19 must respond to the Complaint.

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23 //

1            THEREFORE, IT IS STIPULATED by the Parties hereto, through their attorneys,  
2 pursuant to Civil L.R. 6-1 and 7-12 that Defendant's deadline to answer, move, or otherwise  
3 respond to the Complaint shall be extended to May 16, 2012.

4 IT IS SO STIPULATED.

5  
6 Dated: March 8, 2012

By: /s/ Sean Reis  
Sean P. Reis  
EDELSON MCGUIRE, LLP  
Attorneys for JEROME DAMASCO,  
individually and on behalf of a class of  
similarly situated individuals

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11 Dated: March 8, 2012

By: /s/ Marc Rachman  
Marc Rachman  
DAVIS & GILBERT LLP  
Attorneys for Defendant  
PHD MEDIA L.L.C.

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16 **IT IS SO ORDERED.**

17  
18 DATED: 3/8/12

  
Honorable Richard Sebor  
U.S. District Court Judge