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12 *Attorneys for Defendant StubHub, Inc.*

13 UNITED STATES DISTRICT COURT
 14
 15 NORTHERN DISTRICT OF CALIFORNIA
 16
 17 SAN FRANCISCO DIVISION

17 JOSEPH FABOZZI, on behalf of himself and
 those similarly situated,

18 Plaintiff,

19 vs.

20 STUBHUB, INC.,

21 Defendant.

Case No. 11-cv-06387 (MMC)

**JOINT STIPULATION TO
 CONTINUE CASE MANAGEMENT
 CONFERENCE AND [PROPOSED]
 ORDER**

Current Date: March 30, 2012
 New Date: June 29, 2012
 Time: 10:30 am
 Courtroom: 7 – 19th Floor
 Judge: Hon. Maxine M. Chesney

1 WHEREAS the Court’s Case Management Conference Order, dated January 18,
2 2012, provides that a Case Management Conference shall be held on March 30, 2012 at 10:30
3 a.m. and that the parties’ joint Case Management Conference Statement shall be due not less than
4 seven (7) days before that conference;

5 WHEREAS, on January 26, 2012, Your Honor issued an Order to Show Cause
6 Why the Complaint Should Not Be Dismissed for Lack of Subject Matter Jurisdiction (“Order to
7 Show Cause”), and Plaintiff and Defendant submitted briefing on that issue on February 10, 2012
8 and February 17, 2012, respectively;

9 WHEREAS, on February 17, 2012, Defendant also filed a Motion to Dismiss
10 Plaintiff’s Class Action Complaint (“Motion to Dismiss”); and

11 WHEREAS the parties wish to avoid burdening the Court, and avoid incurring the
12 time and expense associated with, a Case Management Conference and a Case Management
13 Conference Statement until after the Court resolves the Order to Show Cause and the Motion to
14 Dismiss;

15 IT IS HEREBY STIPULATED BETWEEN THE PARTIES, pursuant to L.R. 7-
16 12, to request that the Court continue the Case Management Conference until thirty (30) days
17 after the Court’s rulings on the Order to Show Cause and the Motion to Dismiss, or, in the
18 alternative, until June 29, 2012 at 10:30 a.m. The parties further stipulate and request that the
19 deadline for the parties to file the joint Case Management Conference Statement be adjusted
20 accordingly until seven (7) days prior to the new date that the Court sets for the Case
21 Management Conference.

22 There have been no other extensions of the Case Management Conference hearing date or
23 due date of the Case Management Statement. Counsel for Defendant attests under penalty of
24 perjury that counsel for Plaintiff concurs in the filing of this stipulated request.

1 DATED: March 8, 2012

2 JOSEPH FABOZZI

STUBHUB, INC.

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Attorneys for Defendant StubHub, Inc.

16 **[PROPOSED] ORDER**

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18 Pursuant to stipulation, IT IS SO ORDERED. The Case Management Conference,
19 currently scheduled for March 30, 2012, is hereby CONTINUED to June 29, 2012.

20 Dated: March 8, 2012


Honorable Maxine M. Chesney
United States District Court Judge
Northern District of California

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