

1 JAY EDELSON (Admitted *Pro Hac Vice*)  
 jedelson@edelson.com  
 2 RAFEY S. BALABANIAN (Admitted *Pro Hac Vice*)  
 rbalabanian@edelson.com  
 3 BENJAMIN H. RICHMAN (Admitted *Pro Hac Vice*)  
 brichman@edelson.com  
 4 CHANDLER R. GIVENS (Admitted *Pro Hac Vice*)  
 cgivens@edelson.com  
 5 EDELSON MCGUIRE LLC  
 350 North LaSalle Street, Suite 1300  
 6 Chicago, Illinois 60654  
 Tel: 312.589.6370  
 7 Fax: 312.589.6378

8 *Attorneys for Plaintiff and the Putative Class*

9 KEITH E. EGGLETON  
 keggleton@wsgr.com  
 10 MAURA L. REES  
 mrees@wsgr.com  
 11 ANTHONY J WEIBELL  
 aweibell@wsgr.com  
 12 WILSON SONSINI GOODRICH & ROSATI  
 650 Page Mill Road  
 13 Palo Alto, California 94304  
 Tel: 650.493.9300  
 14 Fax: 650.565.5100

15 *Attorneys for Defendant SYMANTEC CORP.*

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

19 JAMES GROSS, individually and on behalf of  
 20 all others similarly situated,

21 *Plaintiff,*

22 v.

23 SYMANTEC CORPORATION, a Delaware  
 24 corporation, and PC TOOLS, LTD., an Irish  
 limited company,

25 *Defendants.*

Case No. 3:12-cv-00154-CRB

**STIPULATION AND [REDACTED] ORDER  
 TO CONTINUE CASE MANAGEMENT  
 CONFERENCE AND HEARING ON  
 MOTION TO DISMISS**

Date: November 9, 2012  
 Time: 10:00 a.m.  
 Judge: Hon. Charles R. Breyer

1 Plaintiff James Gross and Defendant Symantec Corporation (collectively, the “Parties”), by  
2 and through their undersigned counsel, hereby stipulate and agree, subject to Court approval, to  
3 continue the case management conference in this matter and the hearing on Symantec’s pending  
4 motion to dismiss from November 9, 2012 at 10:00 a.m. to December 14, 2012 at 10:00 a.m. (or  
5 such other date and time as the Court may set), so that they may focus their time and other  
6 resources on proceeding with a mediation currently scheduled for November 12, 2012. In support  
7 of the instant stipulation, the Parties state as follows:

8 **WHEREAS**, on August 14, 2012, Plaintiff filed a second amended class action complaint,  
9 (Dkt. No. 50);

10 **WHEREAS**, on August 31, 2012, Symantec moved to dismiss Plaintiff’s amended  
11 complaint, (Dkt. No. 51);

12 **WHEREAS**, the Court has set the hearing on Symantec’s motion and an initial case  
13 management conference in this matter for November 9, 2012 at 10:00 a.m.;

14 **WHEREAS**, the Parties have also agreed and are scheduled to convene a mediation  
15 session before John B. Bates, Jr. of JAMS in San Francisco, California on November 12, 2012, in  
16 hopes of resolving this matter;

17 **WHEREAS**, to focus their time and other resources on the mediation and potential  
18 resolution of this matter, the Parties have conferred and agreed, subject to Court approval, that the  
19 hearing on Symantec’s motion and the case management conference should be continued from  
20 November 9, 2012 at 10:00 a.m. to December 14, 2012 at 10:00 a.m., at which point the Parties  
21 will inform the Court of the status of their efforts toward settlement;

22 **WHEREAS**, good cause exists to continue the hearing on Symantec’s motion and the case  
23 management conference, and the Parties do not seek the relief contemplated herein for any  
24 improper purpose.

1 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED** as follows:

2 1. The hearing on Symantec’s motion to dismiss and the case management conference  
3 currently set for November 9, 2012 at 10:00 a.m. shall be continued to December 14, 2012 at 10:00  
4 a.m., or to such other date and time as the Court may set.

5 **IT IS SO STIPULATED.**

6 **JAMES GROSS**, individually and on behalf of all  
7 others similarly situated,

8 Dated: October 18, 2012

By: /s/ Benjamin H. Richman  
One of Plaintiff’s Attorneys

9 SEAN P. REIS (SBN 184044)  
10 sreis@edelson.com  
EDELSON MCGUIRE, LLP  
11 30021 Tomas Street, Suite 300  
Rancho Santa Margarita, California 92688  
12 Tel: 949.459.2124

13 JAY EDELSON (Admitted *Pro Hac Vice*)  
jedelson@edelson.com  
14 RAFEY S. BALABANIAN (Admitted *Pro Hac Vice*)  
rbalabanian@edelson.com  
15 BENJAMIN H. RICHMAN (Admitted *Pro Hac Vice*)  
brichman@edelson.com  
16 CHANDLER R. GIVENS (Admitted *Pro Hac Vice*)  
cgivens@edelson.com  
17 EDELSON MCGUIRE LLC  
350 North LaSalle Street, Suite 1300  
18 Chicago, Illinois 60654  
Tel: 312.589.6370

19 **SYMANTEC CORPORATION,**

20 Dated: October 18, 2012

By: /s/ Anthony J. Weibell  
One of Defendant’s Attorneys

21 KEITH E. EGGLETON  
22 keggleton@wsgr.com  
MAURA L. REES  
23 mrees@wsgr.com  
ANTHONY J WEIBELL  
24 aweibell@wsgr.com  
WILSON SONSINI GOODRICH & ROSATI  
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Tel: 650.493.9300

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**ORDER**

Pursuant to stipulation and for good cause shown, **IT IS SO ORDERED.**

1. The hearing on Symantec’s motion to dismiss and the case management conference currently set for November 9, 2012 at 10:00 a.m. shall be continued to December 14, 2012 at 10:00 a.m.

DATED: October 25, 2012

HONORABLE CHARLES R. BREYER  
UNITED STATES DISTRICT COURT

