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Attorneys for Plaintiff Yahoo! Inc.

8 UNITED STATES DISTRICT COURT
 9
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 YAHOO! INC., a Delaware corporation,
 13 Plaintiff,
 14 vs.
 15 FACEBOOK, INC, a Delaware corporation,
 16 Defendant.

CASE NO. CV-12-01212-JSW

STIPULATION AND [PROPOSED] ORDER TO ENLARGE TIME FOR:

(1) YAHOO! INC.'S AMENDED REPLY AND COUNTER COUNTERCLAIMS TO FACEBOOK, INC.'S ANSWER AND COUNTERCLAIMS AND

(2) BRIEFING AND HEARING ON FACEBOOK, INC.'S MOTION TO STRIKE AND/OR DISMISS YAHOO! INC.'S CLAIMS AND DEFENSES OF INEQUITABLE CONDUCT

[Civil L.R. 6-1, 6-2]

Honorable Jeffrey S. White
United States District Judge

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Pursuant to Civil L.R. 6-1 and 6-2, the parties file this Stipulation requesting an enlargement of time for: (1) Yahoo! Inc. ("Yahoo!") to file an Amended Reply and Counter Counterclaims to Facebook, Inc.'s ("Facebook") Answer and Counterclaims pursuant to Federal Rule of Civil Procedure 15(a)(1); and (2) briefing and hearing on Facebook, Inc.'s Motion to Strike and/or Dismiss Yahoo!'s Claims and Defenses of Inequitable Conduct. This request is supported by the attached Declaration of Kevin A. Smith.

NOW THEREFORE, IT IS HEREBY STIPULATED and agreed to by and between the parties that:

1. The time for Yahoo! to file an amended Reply and Counter Counterclaims to Facebook's Answer and Counterclaims shall be extended from June 6, 2012 to June 20, 2012;
2. The time for Yahoo! to respond to Facebook's Motion to Strike and/or Dismiss Yahoo!'s Claims and Defenses of Inequitable Conduct shall be extended from June 20, 2012 to July 5, 2012;
3. The time for Facebook to reply in support of its Motion to Strike and/or Dismiss Yahoo!'s Claims and Defenses of Inequitable Conduct shall be extended from June 27, 2012 to July 12, 2012.
4. The hearing on the Motion to Strike and/or Dismiss Yahoo!'s Claims and Defenses of Inequitable Conduct shall be rescheduled from July 27, 2012 at 9:00 am to August 10, 2012 at 9:00 am.

IT IS SO STIPULATED.

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Dated: June 6, 2012

By: /s/ Mark Weinstein
Michael Graham Rhodes
Heidi Keefe
Joseph Haag
Mark Selwyn
Mark Weinstein
Stephen Neal
Cooley LLP
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60 State Street
Boston, MA 02109
Attorneys for Facebook, Inc.

Dated: June 6, 2012

By: /s/ Kevin A. Smith
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated:

By: _____

Honorable Jeffrey S. White
United States District Court Judge

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ATTESTATION OF E-FILED SIGNATURE

I, Kevin A. Smith, am the ECF User whose ID and password are being used to file this Stipulation. In compliance with General Order 45, X.B., I hereby attest that Mark Weinstein, counsel for Facebook, Inc., has concurred in this filing.

Dated: June 6, 2012

/s/ Kevin A. Smith
Kevin A. Smith

1
2 **CERTIFICATE OF SERVICE**

3 I, Kevin A. Smith, declare under penalty of perjury under the laws of the State of
4 California and the United States that the following is true and correct:

5 On June 6, 2012 I caused to be served the following document(s):
6

7 **STIPULATION AND [PROPOSED] ORDER TO ENLARGE TIME FOR: (1) YAHOO!
8 INC.'S AMENDED REPLY AND COUNTER COUNTERCLAIMS TO FACEBOOK,
9 INC.'S ANSWER AND COUNTERCLAIMS AND (2) BRIEFING AND HEARING ON
10 FACEBOOK, INC.'S MOTION TO STRIKE AND/OR DISMISS YAHOO! INC.'S
11 CLAIMS AND DEFENSES OF INEQUITABLE CONDUCT**

12 **DECLARATION OF KEVIN SMITH IN SUPPORT OF THE STIPULATION AND
13 [PROPOSED] ORDER TO ENLARGE TIME FOR: (1) YAHOO! INC.'S AMENDED
14 REPLY AND COUNTER COUNTERCLAIMS TO FACEBOOK, INC.'S ANSWER AND
15 COUNTERCLAIMS AND (2) BRIEFING AND HEARING ON FACEBOOK INC.'S
16 MOTION TO STRIKE AND/OR DISMISS YAHOO INC.'S CLAIMS AND DEFENSES
17 OF INEQUITABLE CONDUCT**

18 via electronic mail to the following parties:

19 Michael Rhodes (rhoedsmg@cooley.com)
20 Heidi Keefe (hkeefe@cooley.com)
21 Joseph Haag (joseph.haag@wilmerhale.com)
22 Mark Selwyn (mark.selwyn@wilmerhale.com)
23 Mark Weinstein (mweinstein@cooley.com)
24 Stephen Neal (nealsc@cooley.com)

25 via U.S. Mail to the following parties:

26 Cynthia D. Vreeland
27 Lee F. William
28 Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, MA 02109

Dated: June 6, 2012

/s/ Kevin A. Smith