

1 KOREIN TILLERY, LLC  
 STEVEN A. KATZ  
 2 (SKatz@koreintillery.com)  
 AARON M. ZIGLER  
 3 (AZigler@koreintillery.com)  
 One U.S. Bank Plaza  
 4 505 N. 7th Street, Suite 3600  
 St. Louis, MO 63101-1625  
 5 Telephone: (314) 241-4844  
 Facsimile: (314) 241-3525

6 Attorneys for Plaintiffs

COOLEY LLP  
 MICHAEL G. RHODES (116127)  
 (rhodesmg@cooley.com)  
 MATTHEW D. BROWN (196972)  
 (brownmd@cooley.com)  
 JEFFREY M. GUTKIN (216083)  
 (jgutkin@cooley.com)  
 101 California Street, 5th Floor  
 San Francisco, CA 94111-5800  
 Telephone: (415) 693-2000  
 Facsimile: (415) 693-2222

7 Attorneys for Defendant  
8 Facebook, Inc.

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

12 C.M.D., by his next friend Jennifer E.  
 13 DeYong, T.A.B. by her next friend Patricia A.  
 14 Isaak, H.E.W. & B.A.W., by their next friend  
 Jami A. Lemons, and A.D.Y. & R.P.Y., by  
 15 their next friend Robert L. Young, Jr., and  
 R.R.C., by her next friend Robyn S.  
 16 Courtway, individually and on behalf of all  
 others similarly situated,

17 Plaintiffs,

18 v.

19 FACEBOOK, INC.,

20 Defendant.

Case No. 12-CV-01216-RS

**STIPULATION AND ~~PROPOSED~~ ORDER  
 REGARDING BRIEFING SCHEDULE FOR  
 DEFENDANT FACEBOOK, INC.'S MOTION  
 TO DISMISS PLAINTIFFS' SECOND  
 AMENDED COMPLAINT**

Courtroom: 3 – 17th Floor  
 Judge: Hon. Richard Seeborg  
 Trial Date: None Set

1 Pursuant to Civil Local Rule 6-2, Plaintiffs and Defendant Facebook, Inc. (collectively,  
2 the “Parties”), by and through their undersigned counsel, respectfully stipulate and agree, subject  
3 to Court approval, to modify the response deadline and briefing schedule for Facebook’s  
4 anticipated Motion to Dismiss the Second Amended Complaint, extending each deadline by no  
5 more than one week. In support of this Stipulation, the Parties state as follows:

6 1. On September 30, 2013, the Court issued an Order Lifting Stay and Denying  
7 Motion to Dismiss Without Prejudice as Moot. The Court’s Order called for Plaintiffs to file an  
8 amended complaint within two weeks of the date of the order.

9 2. Plaintiffs filed their Second Amended Complaint on October 15, 2013.

10 3. Pursuant to the Federal Rules of Civil Procedure and Civil Local Rules, currently  
11 Facebook’s response to the Second Amended Complaint, including any motion to dismiss, is due  
12 on or before November 1, 2013; Plaintiffs’ Opposition to Facebook’s motion to dismiss is due on  
13 or before November 15, 2013; and Facebook’s reply in support of its motion to dismiss is due on  
14 or before November 22, 2013.

15 4. The Parties agree that a modest extension of these deadlines would be reasonable,  
16 and can be accomplished without affecting any hearing date, or any other deadline, in the case.

17 5. The requested change to the briefing schedule is sought in good faith and not for  
18 purposes of delay.

19 Now therefore, the Parties hereby stipulate and agree as follows, subject to Court  
20 approval:

21 1. Facebook’s response to the Second Amended Complaint, including any motion to  
22 dismiss, will be due on or before Tuesday, November 5, 2013.

23 2. Plaintiffs’ opposition to Facebook’s motion to dismiss the Second Amended  
24 Complaint will be due on or before Tuesday, November 26, 2013.

25 3. Facebook’s reply in support of its motion to dismiss the Second Amended  
26 Complaint will be due on or before Tuesday, December 10, 2013.

27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: October 22, 2013

COOLEY LLP

/s/ Matthew D. Brown  
Matthew D. Brown

Attorneys for Defendant Facebook, Inc.

Dated: October 22, 2013

KOREIN TILLERY

/s/ Aaron M. Zigler  
Aaron M. Zigler

Attorneys for Plaintiffs

**[PROPOSED] ORDER**

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: October 22, 2013

  
HONORABLE RICHARD SEABORG  
UNITED STATES DISTRICT JUDGE