

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM COLE, Derivatively on Behalf of
FACEBOOK, INC.,

Plaintiff,

v.

MARK ZUCKERBERG, DAVID A.
EBERSMAN, SHERYL K. SANDBERG,
DAVID M. SPILLANE, PETER A. THIEL,
JAMES W. BREYER, MARC L.
ANDREESSEN, DONALD E. GRAHAM,
REED HASTINGS, ERSKINE B. BOWLES,
and DOES 1-25, Inclusive,

Defendants,

-and-

FACEBOOK, INC., a Delaware corporation,

Nominal Defendant.

Case No. 3:12-cv-03367-MMC

GRANTING
~~PROPOSED~~ ORDER IN SUPPORT OF
PLAINTIFFS' ADMINISTRATIVE
MOTION TO EXTEND THE BRIEFING
SCHEDULE AND ~~CONTINUE THE VACATE~~
HEARING ON NOMINAL DEFENDANT
FACEBOOK, INC.'S MOTION TO DISMISS
PURSUANT TO FED R. CIV. P. 12(B)(1),
12(B)(3), 12(B)(6) AND 23.1

Judge: Honorable Maxine M. Chesney
Date: ~~September 7, 2012~~
Time: 9:00 a.m.
Location: San Francisco Courthouse
Courtroom 7, 19th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

1 Having read and considered Plaintiffs Hal Hubuschman and William Cole's (hereinafter
2 "Plaintiffs") Administrative Motion to Extend the Briefing Schedule and Continue the Hearing on
3 Nominal Defendant Facebook, Inc.'s Motion To Dismiss Pursuant to Fed R. Civ. P. 12(B)(1),
4 12(B)(3), 12(B)(6) and 23.1, and ~~good cause appearing therefore,~~
5 defendant's response thereto,

6 IT IS ORDERED THAT:

7 1. The Administrative Motion is GRANTED.

8 2. The hearing on the Motion to Dismiss, currently set for September 7, 2012, is vacated
9 ~~and shall be re-set for hearing after the Court rules on the Remand Motions and the Stay Motions.~~

10 In the event defendants' motion to stay is denied, the Court will set a briefing
11 3. ~~All oppositions to the Motion to Dismiss must be filed and served by no later than~~
12 ~~schedule and hearing date on the Motion to Dismiss.~~
13 ~~fourteen (14) days after the Court rules on the Remand Motions and Stay Motions.~~

14 4. ~~All reply briefs in support of the Motion to Dismiss must be filed and served no later~~
15 ~~than seven (7) after the opposition is filed and served.~~

16 DATED: August 15, 2012

17 
18 HONORABLE MAXINE M. CHESNEY
19 UNITED STATES DISTRICT JUDGE

20 Respectfully submitted by:

21 s/Shane P. Sanders

22 SHANE P. SANDERS

23 ROBBINS UMEDA LLP

24 BRIAN J. ROBBINS

25 FELIPE J. ARROYO

26 SHANE P. SANDERS

27 GINA STASSI

28 600 B Street, Suite 1900

San Diego, CA 92101

Telephone: (619) 525-3990

Facsimile: (619) 525-3991

*Counsel for Plaintiffs Hal Hubuschman and
William Cole*

HOLZER HOLZER & FISTEL LLC

MICHAEL I. FISTEL JR.

200 Ashford Center North, Suite 300

- 1 -

1 Atlanta, GA 30338
Telephone: (770) 392-0090
2 Facsimile: (770) 392-0029

3 *Counsel for Plaintiff William Cole*

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