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Genentech, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

NADIA NOORZAI,

Plaintiff,

v.

GENENTECH, INC., AND DOES 1-10,

Defendant.

Case No. C 12-04914 TEH

STIPULATED REQUEST FOR ORDER CHANGING TIME

Date: December 3, 2012
Time: 10:00 a.m.
Dept: 12, 19th Floor
Judge: Hon. Thelton E. Henderson

Pursuant to Local Rules 6-2 and 7-12, Plaintiff Nadia Noorzai and Defendant Genentech, Inc., through their undersigned counsel, enter into the following stipulation for and respectfully request that the Court issue an order changing the deadlines of the briefing schedule for Genentech's Motion to Dismiss filed on September 27, 2012. In support of this stipulation, the parties represent that:

WHEREAS, on September 27, 2012 Genentech filed a Motion to Dismiss Plaintiff's Complaint, Dkt. No. 7;

WHEREAS, on October 8, 2012, following reassignment of the case to Judge Henderson, Genentech filed and served on Plaintiff's counsel a Re-Notice of the Motion to Dismiss setting the hearing on December 3, 2012;

WHEREAS, on October 12, 2012, Genentech realized that it inadvertently failed to manually serve the Motion to Dismiss on Plaintiff's counsel, who is not a registered ECF user in this case, pursuant to Local Rule 5-1(h)(2);

WHEREAS, on October 12, 2012, Genentech manually served the Motion to Dismiss and re-served the Re-Notice of Motion to Dismiss and the [Proposed] Order Granting Genentech's Motion to Dismiss on Plaintiff's counsel by mail, Dkt. No. 13;

WHEREAS, counsel for the parties met and conferred regarding a stipulated briefing schedule on October 15, 2012 to allow Plaintiff additional time to respond to Genentech's Motion;

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, IT IS HEREBY STIPULATED by and between the parties that the following amended briefing schedule be entered:

FILING	FILING DEADLINE
Plaintiff's Opposition To Motion To Dismiss	Changed from October 11, 2012 to October 29, 2012.
Defendant's Reply In Support Of Motion To Dismiss	Changed from October 18, 2012 to November 5, 2012.

Hearing On Defendant's Motion To Dismiss	Unchanged (December 3, 2012 at 10:00 a.m.)

Dated: October 15, 2012

ORRICK, HERRINGTON & SUTCLIFFE LLP

By /s/ *Shannon B. Seekao*
Shannon B. Seekao
Attorneys for Defendant
GENENTECH, INC.

Dated: October 15, 2012

ARTHUR R. ANGEL

By _____
Arthur R. Angel[1]
Attorneys for Plaintiff
NADIA NOORZAI

PURSUANT TO STIPULATION, IT IS SO ORDERED,

Dated: 10/16/2012

Hon. [illegible]
United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
Judge Thelton E. Henderson

1 Plaintiff maintains that this court lacks subject matter jurisdiction and intends to seek a remand of this case to state court. In agreeing to this stipulation regarding a briefing schedule, Plaintiff expressly reserves her jurisdictional objections and does not intend either to waive them or, by the stipulation or otherwise, to concede that this court has jurisdiction, or to voluntarily submit to the jurisdiction of this court.