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7 Attorneys for Defendant
 8 INCOMM HOLDINGS, INC.

9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**

11
 12 BARBARA FAFARD, individually and on behalf
 of a class of similarly situated individuals,

13 Plaintiff,

14 vs.

15 APPLE INC., BEST BUY CO., INC.; and
 16 INCOMM HOLDINGS, INC.,

17 Defendants.

Case No.: 3:12-cv-05125-EMC

**STIPULATED REQUEST AND
 [PROPOSED] ORDER TO EXTEND
 DEFENDANTS' TIME TO RESPOND TO
 PLAINTIFF'S COMPLAINT TO ALLOW
 THE PARTIES TO PARTICIPATE IN
 MEDIATION**

[Local Rules 6-1 and 7-12]

Hon. Edward M. Chen

REED SMITH LLP
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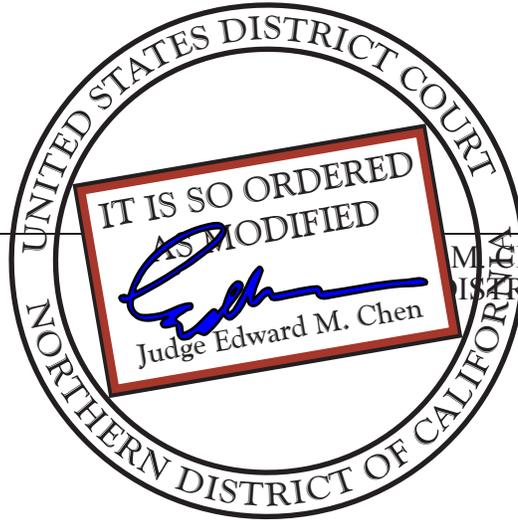
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~~PROPOSED~~ ORDER

PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED that the Defendants' response date to Plaintiff's Complaint shall be extended so that the parties can participate in mediation. Defendants' response date to Plaintiff's Complaint shall be 21 days after any party advises the Court that mediation efforts have been unsuccessful. Plaintiff shall have an additional 21 days to respond to any dispositive motion that Defendants might file and Defendants shall have an additional 14 days to file a reply in support of any dispositive motion. The CMC is reset from 1/31/13 to 4/11/13 at 9:00 a.m.

SO ORDERED:

DATED: 1/3/13



EDWARD M. CHEN
DISTRICT COURT JUDGE

REED SMITH LLP
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1 **PROOF OF SERVICE**

2 I, Candice A. Spoon, declare as follows:

3 I am a resident of the State of California, over the age of eighteen years, and not a
4 party to the within action. My business address is REED SMITH LLP, 355 South Grand Avenue,
5 Suite 2900, Los Angeles, CA 90071-1514. On December 21, 2012, I served the following
6 document(s) by the method indicated below:

7 **STIPULATED REQUEST AND [PROPOSED] ORDER TO EXTEND DEFENDANTS'
8 TIME TO RESPOND TO PLAINTIFF'S COMPLAINT TO ALLOW THE PARTIES TO
9 PARTICIPATE IN MEDIATION**

10 <input checked="" type="checkbox"/>	BY CM/ECF ELECTRONIC DELIVERY: In accordance with the registered case participants and in accordance with the procedures set forth at the Court's website www.ecf.cand.uscourts.gov
11 <input type="checkbox"/>	by transmitting via facsimile on this date from fax number 213.457.8080 the document(s) listed above to the fax number(s) set forth below. The transmission was completed before 5:00 PM and was reported complete and without error. The transmission report, which is attached to this proof of service, was properly issued by the transmitting fax machine. Service by fax was made by agreement of the parties, confirmed in writing.
12 <input type="checkbox"/>	by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in this Declaration.
13 <input type="checkbox"/>	by placing the document(s) listed above in a sealed envelope(s) and by causing personal delivery of the envelope(s) to the person(s) at the address(es) set forth below. A signed proof of service by the process server or delivery service will be filed shortly.
14 <input type="checkbox"/>	by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
15 <input type="checkbox"/>	by placing the document(s) listed above in a sealed envelope(s) and consigning it to an express mail service for guaranteed delivery on the next business day following the date of consignment to the address(es) set forth below. A copy of the consignment slip is attached to this proof of service.
16 <input checked="" type="checkbox"/>	by transmitting via email to the parties at the email addresses listed below:

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I declare under penalty of perjury under the laws of the United States that the above is true and correct. Executed on December 21, 2012, at Los Angeles, California.

/s/ Candice A. Spoon
CANDICE A. SPOON

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