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6 Attorneys for Defendant  
 7 GOGO INC.

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

12 JAMES STEWART, JOEL MILNE, AND  
 13 JOSEPH STRAZZULLO On Behalf of  
 Themselves and All Others Similarly Situated,

14 Plaintiff,

15 v.

16 GOGO INC.,

17 Defendant.

Case No. 3:12-cv-05164-EMC

**STIPULATION AND [PROPOSED]  
 ORDER REGARDING DEFENDANT  
 GOGO INC.'S TIME TO RESPOND TO  
 FIRST AMENDED COMPLAINT;  
 BRIEFING SCHEDULE RE  
 DEFENDANT GOGO INC'S MOTION  
 TO DISMISS**

Courtroom: 5  
 Judge: Hon. Edward M. Chen  
 [Proposed]  
 Hearing Date: March 28, 2013  
 Time: 1:30 p.m.

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1 Pursuant to Civil Local Rule 6-1, plaintiffs James Stewart, Joel Milne, and Joseph  
2 Strazzullo (“Plaintiffs”) and defendant Gogo Inc. (“Gogo,” together with Plaintiffs, the “Parties”),  
3 by and through their counsel, jointly submit this Stipulation and [Proposed] Order Regarding  
4 Defendant Gogo Inc.’s Time to Respond to the First Amended Complaint and Briefing Schedule  
5 Re Defendant Gogo Inc.’s Motion to Dismiss.

6 WHEREAS, on October 31, 2012, plaintiff James Stewart served Gogo with a putative  
7 class action complaint alleging violations of Federal and California antitrust and competition laws;

8 WHEREAS, on December 10, 2012, Gogo filed a motion to dismiss the complaint;

9 WHEREAS, on December 31, 2012, Plaintiffs filed their First Amended Complaint  
10 (“FAC”) in this matter;

11 WHEREAS, Gogo intends to move to dismiss the FAC for failure to state a claim;

12 WHEREAS, Gogo is required to file its motion to dismiss by January 14, 2013, and  
13 Plaintiffs are required to file their opposition thereto within 14 days of Gogo’s filing;

14 WHEREAS, due to the complexity of the legal issues and deadlines in other matters, the  
15 Parties require additional time to brief, and oppose, Gogo’s motion to dismiss;

16 WHEREAS, the Parties, through their counsel, have conferred and agreed to a hearing date  
17 and briefing schedule on Gogo’s motion to dismiss;

18 THEREFORE, SUBJECT TO THE COURT’S APPROVAL, IT IS STIPULATED AND  
19 AGREED AS FOLLOWS:

- 20 1. Gogo shall file a motion to dismiss the FAC on or before January 30, 2013;
- 21 2. Plaintiffs shall file an opposition brief on or before February 19, 2013;
- 22 3. Gogo shall file a reply brief on or before March 6, 2013; and

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4. The motion shall be heard on March 28, 2013 at 1:30 p.m.

DATED: January 3, 2013

SHEARMAN & STERLING LLP

By:           /s/ James Donato            
James Donato

Attorneys for Defendant  
GOGO INC.

DATED: January 3, 2013

THE MEHDI FIRM  
  
THE KATRIEL LAW FIRM  
  
KRAUSE KALFAYAN BENINK &  
SLAVENS LLP

By:           /s/ Azra Mehdi            
Azra Mehdi

Attorneys for Plaintiffs

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated:                           1/9/13                          



