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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RICHARD KNUDSEN, EX REL. UNITED  
STATES OF AMERICA,

PLAINTIFF,

V.

AT&T CORPORATION, ET AL.

DEFENDANTS.

**STIPULATION TO CONFIRM BRIEFING  
SCHEDULE AND DEFER CASE  
MANAGEMENT CONFERENCE AND  
PROPOSED ORDER**

CASE NO. 3:13-CV-4542-CRB

Judge: Hon. Charles R. Breyer

Complaint Filed: October 1, 2013

Trial Date: None Set

## RECITALS

1. On October 1, 2013, Plaintiff filed a sealed complaint, including more than 1,200 pages of exhibits, against Defendants. The Court unsealed the Complaint on September 19, 2014 (Dkt. 11) after receipt of a Notice by the United States of America of its election to decline to intervene.

2. A case management conference in this case had been set for November 18, 2014 and, on November 12, 2014, Plaintiff requested that the Court continue this conference to January 6, 2015 (Dkt. 13). The Court granted this request on November 13, 2014 (Dkt. 14).

3. The parties also previously stipulated to an initial extension of time for Defendants to respond to the Complaint (Dkt. 15), which this Court granted (Dkt. 16).

4. This case has a large number of allegations and a significant quantity of exhibits attached to the Complaint. In addition, the parties have continued to confer regarding the proper defendants, completing service as to certain defendants, and on other pretrial matters. The parties require additional time to meet and confer prior to any scheduling conference. Moreover, in addition to the instant case, Plaintiff has brought analogous *qui tam* cases in this Court against various Verizon-affiliated entities, *Knudsen v. Cellco Partnership, et al.*, 13-cv-4465 (N.D. Cal), and various Sprint-affiliated entities, *Knudsen v. Sprint Communication Company LP, et al.*, 13-cv-4476 (N.D. Cal.). The parties agreed that a coordinated schedule among these three cases would result in a number of practical efficiencies for the parties, and, significantly, will preserve judicial resources and will promote judicial economy.

5. The parties therefore previously agreed and stipulated to a schedule in this case to conform to the schedule in Plaintiff's case against the Sprint-affiliated entities (*compare* Dkt. 16 in Case No. 13-cv-4476, *with* Dkt. 31). Under that schedule, Defendants have up to and including February 3, 2015, to file a motion to dismiss or otherwise respond to the Complaint and, Plaintiff has up to and including April 6, 2015, to respond to Defendants' motion or responsive pleading. In addition, the parties agreed to defer the initial scheduling conference.

6. Magistrate Judge LaPorte entered this schedule, but instead of deferring the Case

Management Conference, Judge LaPorte reset the Case Management Conference for May 26, 2015, with a Case Management Statement due by May 19, 2015. Dkt. 32.

7. When this case was reassigned, the reassignment Order reset the Case Management Conference for February 20, 2015. Dkt. 36. This Order indicates that the Case Management Conference may be rescheduled by stipulation.

8. The parties have conferred and have agreed to either defer the Case Management Conference until thirty (30) days after Defendants file an Answer to Plaintiff's Complaint, or, in the alternative, reset the Case Management Conference for May 22, 2015.

9. Other than the foregoing scheduling modifications, no other extensions of time have been sought since the Court unsealed the Complaint.

10. Pursuant to Local Rule 6-2, the parties in this case and in Plaintiff's related cases have agreed to request that the Court confirm the prior briefing schedule and defer the Case Management Conference as set forth in the Stipulation below.

#### **STIPULATION**

It is hereby stipulated and agreed between the Parties as follows, without any party conceding jurisdiction in this matter, that:

1. The date for the Case Management Conference in this matter, currently set for February 20, 2015, is vacated, but the previously entered briefing schedule (Dkt. 32) remains intact.
2. The Case Management Conference will be set for thirty (30) days after the Defendants file an Answer to Plaintiff's Complaint. In the alternative, the Case Management Conference will be set for May 22, 2015.
3. The Case Management Statement will be filed with the Court seven (7) days prior to the continued Case Management Conference.

DATED: January 21, 2015

Respectfully Submitted,

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16 **ORDER**

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- 18 1. The date for the Case Management Conference in this matter, currently set for February 20, 2015, is vacated but the previously entered briefing schedule (Dkt. 32) remains intact.
  - 19 2. The Case Management Conference will be set for thirty (30) days after the Defendants file an Answer to Plaintiff's Complaint. In the alternative, the Case Management Conference will be set for May 22, 2015.
  - 20 3. The Case Management Statement will be filed with the Court seven (7) days prior to the continued Case Management Conference.

21 IT IS SO ORDERED.

22 Dated: January

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