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 20 **UNITED STATES DISTRICT COURT**  
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 22 **NORTHERN DISTRICT OF CALIFORNIA**  
 23  
 24 **SAN FRANCISCO DIVISION**

25 IN RE OPTICAL DISK DRIVE ANTITRUST  
26 LITIGATION

27 Master File No. 3:10-md-2143 RS

28 MDL Docket No. M 10-2143

29 This Document Relates to

30 Case No. 3:13-cv-04991-RS

31 ACER INC.; ACER AMERICA CORPORATION;  
 32 GATEWAY, INC.; AND GATEWAY U.S.  
 33 RETAIL, INC., F/K/A EMACHINES, INC.

34 **JOINT STIPULATION AND**  
 35 **[PROPOSED] ORDER**  
 36 **REGARDING BRIEFING**  
 37 **SCHEDULE ON DEFENDANTS'**  
 38 **MOTIONS TO DISMISS**

39 Plaintiffs,

40 Judge Richard Seeborg

41 vs.

42 LITE-ON IT CORPORATION; NEC  
 43 CORPORATION; KONINKLIJKE PHILIPS N.V.;  
 44 PHILIPS & LITE-ON DIGITAL SOLUTIONS  
 45 CORPORATION; PHILIPS & LITE-ON DIGITAL  
 46 SOLUTIONS USA, INC.; PIONEER  
 47 CORPORATION; PIONEER DIGITAL DESIGN &  
 48 MANUFACTURING COMPANY; PIONEER

1 ELECTRONICS (USA) INC.; PIONEER HIGH  
2 FIDELITY TAIWAN CO., LTD.; PIONEER  
3 NORTH AMERICA, INC.; SAMSUNG  
4 ELECTRONICS AMERICA, INC.; SAMSUNG  
5 ELECTRONICS CO., LTD.; SONY  
6 CORPORATION; SONY ELECTRONICS INC.;  
7 SONY NEC OPTIARC INC.; SONY OPTIARC  
8 AMERICA INC.; SONY OPTIARC INC.;  
9 TOSHIBA AMERICA INFORMATION SYSTEMS,  
10 INC.; TOSHIBA CORPORATION; TOSHIBA  
11 SAMSUNG STORAGE TECHNOLOGY  
12 CORPORATION; TOSHIBA SAMSUNG  
13 STORAGE TECHNOLOGY KOREA  
14 CORPORATION,

15 Defendants.

16 WHEREAS, on May 6, 2014, the Pioneer Defendants filed a motion to dismiss Plaintiffs'  
17 Second Amended Complaint [MDL Dkt. 1248], and Plaintiffs' response is currently due May 20,  
18 2014;

19 WHEREAS, on May 7, 2014, the Defendants filed a joint motion to dismiss Plaintiffs'  
20 Second Amended Complaint [MDL Dkt. 1252], and Plaintiffs' response is currently due May 21,  
21 2014;

22 WHEREAS, a hearing on the motions is currently set for July 10, 2014;

23 WHEREAS, the parties have conferred and agree to extend the briefing schedule on the  
24 motions;

25 NOW, THEREFORE, it is stipulated by and between the undersigned parties that:

- 26 1. Plaintiffs' responses in opposition to the motions shall be June 6, 2014;
- 27 2. Defendants' replies in support of the motions shall be June 20, 2014;

28 IT IS SO STIPULATED.

Dated: May 19, 2014

**CARLTON FIELDS JORDEN BURT, P.A.**

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*ACER INC.; ACER AMERICA CORPORATION;*

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GATEWAY, INC.; AND GATEWAY U.S. RETAIL,  
INC., F/K/A EMACHINES, INC.

DATED: May 19, 2014

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DATED: May 19, 2014

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DATED: May 19, 2014

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DATED: May 19, 2014

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DATED: May 19, 2014

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Pursuant to Civil Local Rule 5-1(i)(3), the filer attests that concurrence in the filing of this document has been obtained from the stipulating parties.

\* \* \*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 5/20/14

  
HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE