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Raney v. Twitter, Inc.

WHEREAS, Plaintiff Wilford Raney ("Plaintiff" or "Raney") and Defendant Twitter, Inc. ("Defendant" or "Twitter") respectfully submit this stipulation;

WHEREAS, on December 9, 2015, Twitter filed an Opposition to Plaintiff's Motion For A Preliminary Injunction (Dkt. 39);

WHEREAS, it is Plaintiff's position that Twitter's Opposition attaches Declarations from four Twitter employees, each attesting to facts relevant to Twitter's Opposition;

WHEREAS, it is Plaintiff's position that Plaintiff needs an opportunity to assess the veracity (via limited expedited discovery) of those attestations in order to prepare his Reply brief;

WHEREAS, the Parties met and conferred more than five times (and exchanged dozens of emails) between December 15, 2015 and December 23, 2015 to discuss Plaintiff's position that he needs limited expedited discovery;

WHEREAS, the Parties have agreed that Plaintiff may conduct a three-hour Rule 30(b)(6) deposition of a Twitter representative on January 6, 2016, limited specifically to subjects and argument raised in Twitter's Opposition Brief and the attached Declarations, and Defendant has agreed to produce limited discovery, including non-custodial, overview documents and written interrogatory responses around January 5, 2016;

WHEREAS, pursuant to a stipulation by the Parties (Dkt. 26) and an order of this Court (Dkt. 27), the deadline for Plaintiff to file his reply in support of his motion for preliminary injunction is January 9, 2016;

WHEREAS, it is Plaintiff's position that Plaintiff could not by January 9, 2016 reasonably incorporate into his reply brief any information gained from the upcoming Rule 30(b)(6) deposition;

WHEREAS, the Parties have agreed that Plaintiff will seek, and Twitter will not oppose, an extension of time, up to and including January 15, 2016, for Plaintiff to file his reply in support of his motion for preliminary injunction;

1 THEREFORE, Plaintiff and Twitter hereby stipulate and agree, subject to Court 2 approval, as follows: 3 STIPULATION 4 1 By and through his undersigned counsel, Plaintiff hereby requests, and Twitter 5 does not oppose, that Plaintiff be given a six (6) day extension to file his reply to Twitter's Opposition to Plaintiff's Motion for a Preliminary Injunction (Dkt. 39)—up to and including 6 7 January 15, 2016. The date and time for the hearing of the motion (January 28, 2016, at 8:00am) 8 shall remain unchanged. 9 2. The reason for the requested extension is that Plaintiff's position is that he needs 10 time to incorporate into his reply brief the information learned during the upcoming January 6, 11 2016 Rule 30(b)(6) deposition of Twitter. 12 3 No other time modifications have been requested or granted in this case, except that the parties stipulated to, and the Court adopted, a briefing schedule for a number of pending 13 14 and then-anticipated motions. (Dkt. 27.) 4. 15 The requested time modification would not affect any other deadlines set by the 16 Court, as the hearing date for Plaintiff's Motion (as well as several other motions) is January 28, 17 2016—thirteen days after Plaintiff's proposed reply would be due. 5. 18 All affected parties agree to the stipulation as indicated by their signatures below. 19 Plaintiff respectfully requests, and Twitter does not oppose, that the Court approve the 20 stipulation pursuant to Civil L.R. 6-2, and enter an Order thereupon, pursuant to Civil L.R. 7-12. 21 22 Dated: December 28, 2015 **EDELSON PC** 23 By: /s/ Todd Logan 24 One of Plaintiff's Attorneys 25 Dated: December 28, 2015 COOLEY LLP 26 27 28 2

	By: /s/ Kyle C. Wong	
1	One of Defendant's Attorneys	
2	PURSUANT TO STIPULATION, IT IS SO ORDERED.	
3	DATED: December 29, 2015.	100 Alas
4	DATED. December 25, 2013.	THE HONORABLE WILLIAM H. ALSUP United States District Judge
5		Office States District stage
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7	A.	TTESTATION
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9	Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the filing of this document has been obtained from the other signatories.	
10		/ / m . 117
11	Dated: December 28, 2015	/s/ Todd Logan
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