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 24 **FACEBOOK, INC.**

25 **UNITED STATES DISTRICT COURT**

26 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

27 MEHIER TAAMNEH, et al.,

28 Plaintiffs,

v.

TWITTER, INC., et al.,

Defendants.

Case No. 3:17-cv-04107-EMC

**STIPULATED REQUEST TO CONTINUE
 INITIAL CASE MANAGEMENT
 CONFERENCE**

Judge: Hon. Edward M. Chen

CASE No. 3:17-cv-04107-EMC

STIP. REQUEST AND [PROPOSED]
 ORDER To CONTINUE CASE
 MANAGEMENT CONFERENCE

1 Pursuant to Fed. R. Civ. P. 6(b)(1) and Civil Local Rules 6-1(b) and 6-2, Defendants
2 Twitter, Inc.; Google LLC; and Facebook, Inc., and Plaintiffs Mehier Taamneh, Lawrence
3 Taamneh, Dimana Taamneh, and Sara Taamneh (collectively, the “Parties”), by and through
4 their respective counsel of record, hereby stipulate as follows:

5 WHEREAS Plaintiffs filed the Complaint on July 20, 2017 (Dkt. 1), and filed Waivers of
6 Service as to each Defendant on September 19, 2017 (Dkt. 16, 17, 18);

7 WHEREAS the Parties previously agreed to stay this action for 60 days in light of
8 anticipated decisions in *Fields v. Twitter, Inc.*, 9th Cir. No. 16-17165, and several other cases
9 filed by Plaintiffs’ counsel against Defendants (Dkt. 23);

10 WHEREAS the Parties subsequently agreed that, in the interest of judicial economy, the
11 proceedings in this action should be stayed and Defendants’ time to respond to the Complaint
12 should be continued until 45 days after the mandate issues in *Fields* (Dkt. 46);

13 WHEREAS the Court granted the Parties’ joint request to stay proceedings pending
14 issuance of the mandate in *Fields v. Twitter*, 9th Cir. No. 16-17165 and continued the initial case
15 management conference that had been scheduled for December 14, 2017, until March 1, 2018
16 (Dkt. 48);

17 WHEREAS the Ninth Circuit issued an opinion affirming dismissal of the *Fields*
18 plaintiffs’ claims on January 31, 2018 (*see Fields v. Twitter, Inc.*, __ F.3d __, 2018 WL 626800
19 (9th Cir. Jan. 31, 2018)), and on February 14, 2018, the *Fields* plaintiffs petitioned for en banc
20 rehearing;

21 WHEREAS the Parties expect the mandate in *Fields* to issue following resolution of the
22 rehearing petition, at which point the stay in this case will expire;

23 WHEREAS counsel for all Parties had been scheduled to appear for an initial case
24 management conference in another nearly identically situated case, *Clayborn v. Twitter*, No.
25 3:17-CV-06894-LB (N.D. Cal.), in the same courthouse on the same day (March 1, 2018) as the
26 initial case management conference in this case but the *Clayborn* Court has proposed continuing
27

1 that conference until May 31, 2018 in light of “the procedural posture of the case,” *see Clayborn*,
2 Dkt. 39;

3 WHEREAS counsel for a number of the Parties are based outside of California and it
4 would reduce expenses and costs (including substantial travel-related costs) if the case
5 management conferences in both this case and *Clayborn* could be coordinated to occur on the
6 same day;

7 WHEREAS the Parties therefore agree that this Court, if it is amenable, should continue
8 the case management conference in this case currently set for March 1, 2018, until May 31,
9 2018;

10 WHEREAS the entry into this stipulation by Defendants shall not waive or impair any
11 defenses, including jurisdictional or venue-related defenses, that may be available to Defendants
12 in this Action;

13 WHEREAS this joint request is being made in good faith, is not for the purpose of delay,
14 and will not prejudice any party;

15 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Parties,
16 through their respective counsel, that the case management conference in this case currently set
17 for March 1, 2018, should be continued until May 31, 2018.

1 Dated: February 23, 2018

Respectfully submitted,

2 /s/ Keith Altman

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GOOGLE LLC

1 ATTORNEY ATTESTATION

2 I, Ari Holtzblatt, am the ECF User whose ID and password are being used to file this
3 **STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE**. In compliance
4 with N.D. Cal. Civil L.R. 5-1(i)(3), I hereby attest that the concurrence in the filing of the
5 document has been obtained from each of the other signatories.

6 By: /s/ Ari Holtzblatt
7 Ari Holtzblatt

8
9
10 CERTIFICATE OF SERVICE

11 I hereby certify that on February 23, 2018, I electronically filed the above document with
12 the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all
13 registered counsel.

14 By: /s/ Ari Holtzblatt
15 Ari Holtzblatt

1 **[PROPOSED] ORDER**

2 Having considered the Stipulated Request to Continue the Case Management
3 Conference and all papers on file, and good cause appearing therefore, IT IS HEREBY
4 ORDERED that the Stipulated Request to Continue the Case Management Conference is
5 GRANTED in its entirety. The Court orders as follows:

- 6 1. The case management conference currently set for March 1, 2018 shall be continued
7 until May 31, 2018.

8
9 **IT IS SO ORDERED.**

10 Dated: 2/27/2018

