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12 AT&T MOBILITY LLC

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **OAKLAND DIVISION**

17 ZOLTAN STIENER and YNEZ STIENER,
18 individually and on behalf of all others
similarly situated,

19 Plaintiff,

20 v.

21 APPLE COMPUTER, INC., AT&T
22 MOBILITY, LLC, and DOES 1 through 50,
inclusive,

23 Defendants.

Case No. C 07-04486 SBA

**STIPULATED JOINT REQUEST TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE; ORDER**

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STIPULATED JOINT REQUEST

Pursuant to Civil Local Rules 6-2 and 7-12, plaintiffs Zoltan and Ynez Steiner (“Plaintiffs”) and defendants Apple Inc. (formerly known as Apple Computer, Inc.) and AT&T Mobility LLC (“ATTM”), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, ATTM is appealing this Court’s March 12, 2008 Order denying its Motion to Compel Arbitration;

WHEREAS, ATTM filed a Motion to Stay Proceedings Pending Appeal (“Motion to Stay”);

WHEREAS, the Court will hear oral argument on ATTM’s Motion to Stay on April 29, 2008;

WHEREAS, the current deadline for ATTM to respond to Plaintiffs’ complaint is April 22, 2008;

WHEREAS, the parties have met and conferred and agree to continue the Initial Case Management Conference currently scheduled for April 29, 2008 until after the Court rules on ATTM’s Motion to Stay;

WHEREAS, Plaintiffs agree to extend the deadline for ATTM to respond to the complaint to May 23, 2008;

NOW, THEREFORE, THE PARTIES, BY AND THROUGH THEIR RESPECTIVE COUNSEL OF RECORD, STIPULATE AND JOINTLY REQUEST THAT:

The Court continue the Initial Case Management Conference currently scheduled for April 29, 2008 to June 4, 2008, or as soon thereafter as is convenient for the Court. ATTM will file its response to Plaintiffs’ complaint by May 23, 2008.

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IT IS SO STIPULATED.

Dated: April 15, 2008

Folkenflik & McGerity

By: /s/ Max Folkenflik
Max Folkenflik

Attorneys for Plaintiffs Zoltan and Ynez Stiener

Dated: April 15, 2008

Morrison & Foerster LLP

By: /s/ Penelope Preovolos
Penelope Preovolos

Attorneys for Defendant Apple Inc.

Dated: April 15, 2008

Mayer Brown LLP

By: /s/ Rena Chng
Rena Chng


Attorneys for Defendant AT&T Mobility LLC

Filer's Attestation: Pursuant to General Order No. 45, I, Rena Chng, attest that I obtained concurrence in the filing of this document from the other signatories.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Initial Case Management Conference is continued to June 5, 2008, at 2:30 p.m.

Dated: 4/21/08



The Honorable Sandra B. Armstrong
United States District Judge

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DECLARATION OF RENA CHNG

I, Rena Chng, hereby declare as follows:

1. I am an associate at the law firm of Mayer Brown LLP, counsel of record for defendant ATTM in the above-captioned matter. Pursuant to Civil Local Rule 6-2, I submit this declaration in support of the parties' Stipulated Request to Continue Initial Case Management Conference. I have personal knowledge of the facts set forth herein, and if called as a witness, could and would testify competently thereto.

2. Commencing on April 9, 2008, I met and conferred with counsel for Plaintiffs and counsel for Apple Inc. regarding continuing the Initial Case Management Conference until after the Court rules on ATTM's Motion to Stay.

3. The parties jointly request that the Court continue the Initial Case Management Conference currently scheduled for April 24, 2008 until after the Court rules on ATTM's Motion to Stay in order to avoid the unnecessary expenditure of time and cost in the event the Court rules in ATTM's favor on that motion.

4. Plaintiffs and ATTM have stipulated thrice to extend ATTM's time to respond to Plaintiffs' complaint. ATTM has filed all three stipulations with the Court.

5. The parties' joint request to continue the Initial Case Management Conference has no effect on the schedule for the case as no schedule has been set yet.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed at Palo Alto, California this 15th day of April, 2008.

/s/ Rena Chng
Rena Chng