

1 Sarah Wager (State Bar No. 209277)
sarah.wager@dechert.com

2 **DECHERT LLP**
2440 W. El Camino Real, Suite 700
3 Mountain View, CA 94040-1499
Telephone: 650.813.4800
4 Facsimile: 650.813.4848

5 Michael S. Doluisio (Admitted *Pro Hac Vice*)
michael.doluisio@dechert.com
6 Karen C. Daly (Admitted *Pro Hac Vice*)
karen.daly@dechert.com

7 **DECHERT LLP**
Cira Center, 2929 Arch Street
8 Philadelphia, PA 19104
Telephone: 215.994.4000
9 Facsimile: 215.994.2222

10 Attorneys for Defendants
MOBILEFUNSTER, INC. and FUNMOBILE
11 GAMES, INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 OAKLAND DIVISION

16 WENDI GUERRERO, individually and on
behalf of a class similarly situated individuals,

17 Plaintiff,

19 v.

20 MOBILE FUNSTER, INC., a Delaware
corporation, FUNMOBILE GAMES, INC., a
21 Delaware corporation,

22 Defendants.

Case No. 4:08-CV-4389 SBA

**STIPULATION AND ORDER TO
CONTINUE CASE MANAGEMENT
CONFERENCE**

24 WHEREAS on September 18, 2008 defendants Mobilefunster, Inc. and Funmobile Games,
25 Inc. (“Defendants”) filed a Notice of Removal with this Court;

26 WHEREAS on September 18, 2008 the Court issued an Order Setting Initial Case
27 Management Conference and ADR Deadlines, which set the Initial Case Management Conference
28 for January 7, 2009 at 3:00 p.m., and related case management deadlines flowing from that date

1 (Document No. 2);

2 WHEREAS Plaintiff filed a Motion to Remand, which will be opposed by Defendants, and is
3 set for hearing on December 16, 2008 (Document 5);

4 WHEREAS the parties believe that the issues to be discussed at the Case Management
5 Conference and the related case management deadlines may become moot if the Court grant's
6 Plaintiff's Motion to Remand;

7 WHEREAS on September 18, 2008 Plaintiff and Defendants stipulated that Defendants shall
8 have an extension of time to answer, move or otherwise plead in response to the First Amended
9 Class Action Complaint until thirty (30) days after Plaintiffs' motion to remand is finally ruled upon
10 (Document No. 3);

11 NOW, THEREFORE, based on the foregoing, the parties do hereby stipulate, by and through
12 their counsel of record, to move the Case Management Conference from January 21, 2009 to March
13 25, 2009 at 3:00 p.m., that all related case management deadlines be reset in accordance therewith,
14 and respectfully request that the Court issue an order reflecting same. The parties shall **meet and**
15 **confer** prior to the conference and shall prepare a joint Case Management Conference Statement
16 which shall be filed no later than ten (10) days prior to the Case Management Conference that
17 complies with the Standing Order For All Judges Of The Northern District Of California and the
18 Standing Order of this Court. Plaintiffs shall be responsible for filing the statement as well as for
19 arranging the conference call. All parties shall be on the line and shall call (510) 637-3559 at the
20 above indicated date and time.

21 Dated: November 5, 2008

DECHERT LLP

22 By: /s/ Sarah Wager

23 Sarah Wager
24 Attorneys for Defendants
25 MOBILEFUNSTER, INC. and FUNMOBILE
26 GAMES, INC.

27 Michael S. Doluisio (Admitted *Pro Hac Vice*)
28 michael.doluisio@dechert.com

Karen C. Daly (Admitted *Pro Hac Vice*)
karen.daly@dechert.com

DECHERT LLP

Cira Center, 2929 Arch Street

Philadelphia, PA 19104
Telephone: 215.994.4000
Facsimile: 215.994.2222

Dated: November 5, 2008

KAMBEREDELSON, LLC

By: /s/ Alan Himmelfarb
Alan Himmelfarb
Attorneys for Plaintiff WENDI GUERRERO,
individually and on behalf of a class of similarly
situated individuals

GENERAL ORDER 45 ATTESTATION

I, Sarah Wager, am the ECF user whose ID and password are being used to file this
Stipulation to Continue Case Management Conference. In compliance with General Order 45, I
hereby attest that Alan Himmelfarb of Kamberedelson, LLC have concurred in this filing.

Dated: November 5, 2008

DECHERT LLP

By: /s/ Sarah Wager
Sarah Wager
Attorneys for Defendants
MOBILEFUNSTER, INC. and FUNMOBILE
GAMES, INC.

IT IS SO ORDERED

Dated: 11/10/08


UNITED STATES DISTRICT COURT JUDGE