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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DESIREE MOORE and KAREN JONES
individually and on behalf of a class of
similarly situated individuals,

Plaintiffs,

vs.

VERIZON COMMUNICATIONS INC., a
Delaware corporation, VERIZON
CALIFORNIA, INC., a California corporation,
VERIZON NORTHWEST, INC., a
Washington corporation, and VERIZON
WEST COAST, INC., a California
corporation,

Defendants.

CASE NO. CV 09-1823 SBA

**STIPULATED REQUEST AND
[PROPOSED] ORDER CONTINUING
THE INITIAL CASE MANAGEMENT
CONFERENCE SCHEDULED FOR
OCTOBER 8, 2009**

[Declaration of Rosemarie T. Ring In
Support of the Stipulated Request and
[Proposed] Order Continuing the Initial
Case Management Conference Scheduled
For October 8, 2009, which is filed
concurrently herewith]

1
2 WHEREAS, the initial case management conference in this case is currently set for
3 October 8, 2009, at 3:30 p.m.

4 WHEREAS, on April 30, 2009, plaintiffs served the Complaint on Defendants.

5 WHEREAS, by stipulation of the parties, Defendants' time to answer or otherwise
6 respond to the Complaint has been extended to August 31, 2009;

7 WHEREAS, prior to August 31, 2009, plaintiffs informed defendants of their intention to
8 file a First Amended Complaint on September 18, 2009, alleging claims and naming parties not at
9 issue in the Complaint;

10 WHEREAS, the parties agreed that Defendants should not respond to the Complaint and
11 that Defendants' deadline to answer or otherwise respond to the First Amended Complaint should
12 be extended to October 19, 2009, and filed a stipulation to that effect on August 21, 2009;

13 WHEREAS, Defendants intend to respond to the First Amended Complaint by filing at
14 least one motion under Rule 12 of the Federal Rules of Civil Procedure that could result in
15 dismissal of the case in its entirety;

16 WHEREAS, given Plaintiffs' intention to file a First Amended Complaint on September
17 18, 2009, alleging claims and naming parties not at issue in the Complaint, and Defendants'
18 intention to respond to the First Amended Complaint on October 19, 2009, by filing at least one
19 motion under Rule 12 that could result in dismissal of the case in its entirety, the parties have
20 agreed that, subject to the Court's approval, continuance of the initial case management
21 conference until after the Court rules on Defendants' motion or motions to dismiss the First
22 Amended Complaint would allow the parties to comply with their obligations under Rule 26,
23 Civil L.R. 16, and ADR L.R. 3, and the Court to consider the case, in a more informed manner;

24 WHEREAS, defendants reserve their respective rights to raise any and all defenses
25 available to them in answering or otherwise responding to the complaint, including but not
26 limited to challenges to personal jurisdiction and standing, and plaintiffs reserve their rights to
27 seek such discovery as may be necessary to respond to any such challenges;

28 NOW THEREFORE, plaintiffs and defendants through their counsel of record stipulate to
the following:

1
2 IT IS HEREBY STIPULATED that, subject to the Court's approval, the initial case
3 management conference scheduled for October 8, 2009, at 3:30 p.m., should be continued until
4 after the Court rules on Defendants' motion or motions to dismiss the First Amended Complaint.
5

6 DATED: September 16, 2009

MUNGER, TOLLES & OLSON LLP

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8 By: /s/ Rosemarie T. Ring
9 ROSEMARIE T. RING

10 Attorneys for Defendants
11 VERIZON COMMUNICATIONS INC.,
12 VERIZON CALIFORNIA, INC., VERIZON
13 NORTHWEST, INC., and VERIZON WEST
14 COAST, INC.

15 THE JACOBS LAW FIRM, CHTD.

16 By: /s/ John G. Jacobs
17 JOHN G. JACOBS

18 Attorneys for Plaintiffs
19 DESIREE MOORE and KAREN JONES
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2 **ORDER**

3 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT the Case
4 Management Conference currently scheduled for October 8, 2009, shall be CONTINUED to
5 **December 17, 2009, at 3:00p.m.** The parties shall **meet and confer** prior to the conference and
6 shall prepare a joint Case Management Conference Statement which shall be filed no later than
7 ten (10) days prior to the Case Management Conference that complies with the Standing Order
8 For All Judges Of The Northern District Of California and the Standing Order of this Court.
9 Plaintiffs shall be responsible for filing the statement as well as for arranging the conference call.
10 All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time.

11 SO ORDERED.

12 Dated: 9/18/09

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15 SAUNDRA BROWN ARMSTRONG
16 United States District Judge
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CERTIFICATION

I, Rosemarie T. Ring, am the ECF User whose identification and password are being used to file this STIPULATION AND [PROPOSED] ORDER CONTINUING THE INITIAL CASE MANAGEMENT CONFERENCE SCHEDULED FOR OCTOBER 8, 2009. In compliance with General Order 45.X.B., I hereby attest that John G. Jacobs concurred in this filing.