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Attorneys for Plaintiff Edward C. O’Bannon, Jr.

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 14 **IN THE UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **OAKLAND DIVISION**
 17

18 Edward C. O’Bannon, Jr., on behalf of himself)
 19 and all others similarly situated,)
)
 20 Plaintiff,)
)
 21 v.)
)
 22 NATIONAL COLLEGIATE ATHLETIC)
 ASSOCIATION and COLLEGIATE)
 23 LICENSING COMPANY)
)
 24 Defendants.)
)
 25 _____)
)
 26
 27
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Case No. 4:09-cv-03329-CW

**ORDER DENYING
 REQUEST FOR STIPULATED ORDER
 REVISING BRIEFING SCHEDULE FOR
 MOTIONS TO DISMISS**

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Pursuant to Civil L.R. 6-1(b) and 6-2, the parties, through their undersigned counsel who are authorized to enter into this stipulation on their behalf, hereby stipulate and agree to the following schedule by which Plaintiff Edward C. O'Bannon must serve and file his oppositions to Defendants' Motions to Dismiss the Complaint and by which the National Collegiate Athletic Association ("NCAA") and The Collegiate Licensing Company ("CLC") must file their reply briefs in support of such Motions.

WHEREAS NCAA and CLC have filed Motions to Dismiss the Complaint in this matter;

WHEREAS the parties have agreed to allow Plaintiff to serve and file his opposition to the Motions to Dismiss on November 3, 2009 and to allow the NCAA and CLC to serve and file their reply briefs in support of such Motions on November 10, 2009. The parties are not requesting any change to the November 17, 2009 hearing date for these motions, and Defendants would oppose any change to the hearing date:

NOW, THEREFORE, the parties hereby stipulate that:

Plaintiff will serve and file his oppositions to the Motions to Dismiss on November 3, 2009 and Defendants the NCAA and CLC will serve and file their reply briefs in support of such Motions on November 10, 2009.

SO STIPULATED AND AGREED:

Dated: October __, 2009 By: _____

Jason A. Geller
LONG & LEVIT LLP
Attorneys for Defendant NCAA

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Dated: October __, 2009 By: _____

Allan Steyer
STEYER LOWENTHAL BOODROOKAS
ALVAREZ & SMITH LLP
Attorneys for Plaintiff Edward C. O'Bannon Jr.

Dated: October __, 2009 By: _____

Peter M. Boyle (pro hac vice)
KILPATRICK STOCKTON LLP
Attorneys for Defendant CLC

**THE STIPULATION IS NOT ACCEPTED. IT DOES NOT ALLOW THE
COURT THE TWO WEEKS IT NEEDS TO CONSIDER THE PAPERS.**

IT IS SO ORDERED:



Dated: October 23, 2009 _____

Honorable Claudia Wilken,
United States District Court