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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OKLAND DIVISION**

ATHANASSIOS DIACAKIS, individually
and on behalf of all others similarly
situated,

Plaintiff,

v.

COMCAST CORPORATION; and DOES
1-10, inclusive,

Defendants.

) **Case No. 11-cv-3002-SBA**

) **CLASS ACTION**

) **STIPULATION TO EXTEND TIME FOR
PLAINTIFF TO FILE AN OPPOSITION
TO DEFENDANT'S MOTION TO
DISMISS & TO EXTEND TIME FOR
DEFENDANT TO FILE A REPLY;
DECLARATION OF JOHN P.
KRISTENSEN**

) Hearing Date: May 15, 2012
) Time: 1:00 p.m.
) Courtroom: 1

) Assigned to the Hon. Sandra Brown
) Armstrong, Courtroom 1

) Case filed on May 13, 2011

1 **STIPULATION**

2 Plaintiff Athanasius Diacakis (hereinafter "Plaintiff" or "Diacakis") and Defendant
3 Comcast Corporation (hereinafter "Comcast" or "Defendant"), by and through their respective
4 counsel, hereby stipulate and agree as follows:

5 **WHEREAS**, Comcast filed a Motion to Dismiss the Second Amended Complaint
6 ("SAC") on February 13, 2012, with a hearing date on May 15, 2012;

7 **WHEREAS**, under the Local Rules, Plaintiff's Opposition is now due on February 27,
8 2012, nearly 10 weeks before the May 15, 2012 hearing;

9 **WHEREAS**, counsel for Plaintiff, John P. Kristensen, who is the senior associate
10 assigned to the case and who will be primarily responsible for preparing the opposition, will be
11 travelling out of the country from February 18, 2012 until March 3, 2012;

12 **WHEREAS**, in order to accommodate Plaintiff's counsel's travel schedule, and in
13 light of the hearing being scheduled for May 15, 2012, the parties have agreed to extend
14 Plaintiff's time to file an Opposition to the Motion to Dismiss the SAC by two weeks, until
15 Monday, March 12, 2012, and Comcast's time to file a Reply to the Opposition until Monday,
16 March 26, 2012;

17 **WHEREAS**, good cause exists to grant the continuances set forth herein for the
18 reasons set forth in the concurrently filed Declaration of John P. Kristensen;

19 **NOW THEREFORE**, both parties stipulate and agree, subject to court approval, that:
20 Plaintiff's Opposition to the Motion to Dismiss the SAC will be due on Monday,
21 March 12, 2012; and

22 Comcast's Reply to the Opposition to the Motion to Dismiss the SAC will be due on
23 Monday, March 26, 2012.
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Dated: February 16, 2012

DRINKER BIDDLE & REATH LLP

By: _____ /s/
Michael J. Stortz

Attorneys for Defendant
COMCAST CORPORATION

Dated: February 16, 2012

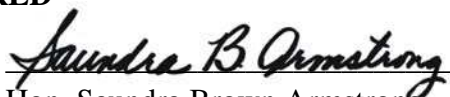
STRANGE & CARPENTER

By: _____ /s/
John P. Kristensen

Attorneys for Plaintiff

GOOD CAUSE APPEARING, IT IS SO ORDERED

Dated: February 16, 2012



Hon. Sandra Brown Armstrong
United States District Judge