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6 Attorney for Defendant Tomato, Inc.

7  
8 UNITED STATES DISTRICT COURT  
9  
10 NORTHERN DISTRICT OF CALIFORNIA  
11  
12 OAKLAND DIVISION

13 FACEBOOK, INC., A Delaware corporation,

14 Plaintiff,

15 vs.

16 BANANA ADS LLC, et al.

17 Defendants.

Case No.: 4:11-cv-03619-YRG (LB)(KW)

**STIPULATION TO EXTEND  
PRETRIAL DEADLINES AND  
REQUEST THEREFOR; ORDER**

18  
19 Plaintiff FACEBOOK, INC. and defendant TOMATO, INC. by and between their  
20 attorneys of record hereby stipulate as follows:

21  
22 1. The stipulating parties have reached an agreement in principle as to the material  
23 terms of a settlement and drafted a settlement agreement which is currently being  
24 reviewed by the parties.

25  
26 2. The stipulating parties therefore join in respectfully requesting the Court to  
27 extend the deadline set for Friday, December 21, 2012 for certain pretrial filings one  
28 week to and including December 28, 2012, to allow for completion of review of said

1 draft settlement agreement.

2 Dated: December 19, 2012

3 Perkins Coie

4 Ryan M. Spear

5 By Ryan M. Spear

6 Attorneys for Plaintiff FACEBOOK, INC.

7  
8 Dated: December 19, 2012

9 John N. Gulick, Jr.

10 John N. Gulick, Jr.

11 Attorney for Defendant TOMATO INC.

12 In accordance with Northern District of California General Order 45, the filer of this  
13 document hereby attests that the concurrence to the filing of this document has been  
14 obtained from the other signatories hereto.

15 DATED: December 19, 2012

16 ORDER

17 In view of the information provided to the Court concerning the progress the  
18 stipulating parties have made in resolving the dispute, the Court grants the request for a  
19 one-week extension of time within which to make the pretrial filings that the Court  
20 previously ordered to be made by December 21, 2012. Those filings are now due to be  
21 filed by December 28, 2012.

22 Dated: December 21, 2012.

23  
24 

25 Yvonne Gonzalez Rogers

26 Judge of the U.S. District Court