

1 MATTHEW D. POWERS (S.B. #212682)
 mpowers@omm.com
 2 E. CLAY MARQUEZ (S.B. #268424)
 cmarquez@omm.com
 3 O'MELVENY & MYERS LLP
 Two Embarcadero Center, 28th Floor
 4 San Francisco, CA 94111-3823
 Telephone: (415) 984-8700
 5 Facsimile: (415) 984-8701

6 Attorneys for Defendant
 ADVANCED MICRO DEVICES, INC.

7 Benjamin S. Thomassen (*pro hac vice*)
 bthomassen@edelson.com
 8 EDELSON PC
 350 North LaSalle Street, 13th Floor
 9 Chicago, Illinois 60654
 Tel: 312.589.6370
 10 Fax: 312.589.6378

11 Stewart R. Pollock (SBN – 301356)
 spollock@edelson.com
 12 Rafey S. Balabanian (*pro hac vice*)
 rbalabanian@edelson.com
 13 EDELSON PC
 123 Townsend Street
 14 San Francisco, California 94107
 Tel: 415.212.9300
 15 Fax: 415.373.9435

16 Attorneys for Plaintiffs
 TONY DICKEY and PAUL PARMER

17 **UNITED STATES DISTRICT COURT**
 18 **NORTHERN DISTRICT OF CALIFORNIA**

20 TONY DICKEY, and PAUL PARMER,
 21 individually and on behalf of all others
 22 similarly situated,

23 *Plaintiffs,*

24 v.

25 ADVANCED MICRO DEVICES, INC., a
 Delaware corporation,

26 *Defendant.*

Case No. 4:15-cv-04922-HSG

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER ADVANCING MOTION TO
 STRIKE HEARING**

Hon. Haywood S. Gilliam, Jr.

[Local Rule 6-2]

1 Pursuant to Northern District Local Rule 6-2, Plaintiffs Tony Dickey and Paul Parmer and
2 Defendant Advanced Micro Devices, Inc., by and through their undersigned counsel, hereby
3 respectfully stipulate and agree, subject to Court approval, to advance the hearing on Plaintiff's
4 Motion to Strike (presently scheduled for 2:00 p.m. on April 6, 2017) to proceed at the same time
5 as the hearing on Defendant's Motion to Dismiss (presently scheduled for 2:00pm on March 17,
6 2017). In support of this Stipulation, the parties state as follows:

7 WHEREAS, on February 8, 2017, the Court continued the hearing on Defendant's Motion
8 to Dismiss and the Parties' Case Management Conference until March 17, 2017 at 2:00 p.m.,
9 (dkt. 88);

10 WHEREAS, the hearing on Plaintiff's Motion to Strike is presently set for April 6, 2017
11 at 2:00pm., (dkt. 85);

12 WHEREAS, the Parties agree that because portions of Defendant's Reply in support of its
13 Motion to Dismiss are the subject of Plaintiffs' Motion to Strike, advancing the hearing on the
14 Motion to Strike (and holding the hearings concurrently) would conserve judicial resources and
15 avoid the need for separate hearings;

16 WHEREAS, apart from advancing the April 6, 2017 motion hearing date, this proposed
17 change will not alter the date of any other event or any deadline already fixed by Court order;

18 NOW THEREFORE, the Parties hereby STIPULATE and AGREE as follows, subject to
19 Court approval:

20 The hearing on Plaintiff's Motion to Strike shall be advanced to March 17, 2017 at 2:00
21 p.m., or to such other date that is convenient for the Court.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: March 3, 2017

E. CLAY MARQUEZ
O'MELVENY & MYERS LLP

By: /s/ E. Clay Marquez
E. Clay Marquez

Attorneys for Defendant
ADVANCED MICRO DEVICES, INC.

Dated: March 3, 2017

BENJAMIN S. THOMASSEN
EDELSON PC

By: /s/ Benjamin S. Thomassen
Benjamin S. Thomassen

Attorneys for Plaintiffs
TONY DICKEY and PAUL PARMER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~PROPOSED ORDER~~

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The hearing on Plaintiff Tony Dickey and Paul Parmer's Motion to Strike, scheduled for April 6, 2017, is hereby reset for March 17, 2017 at 2:00 pm.

Dated: 3/6/2017



HON. HAYWOOD S GILLIAM, JR.
UNITED STATES DISTRICT JUDGE