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14 Attorneys for Defendant
 15 APPLE INC.

16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18 **OAKLAND DIVISION**

19 MATTHEW PRICE, individually and on behalf
 of all others similarly situated,
 20
 Plaintiffs,
 21
 v.
 22 APPLE INC., a California corporation,
 23 Defendant.

CASE NO. 4:21-CV-02846-HSG

**JOINT STIPULATION AND
 ORDER REGARDING RESPONSE
 TO SECOND AMENDED
 COMPLAINT**

1 WHEREAS, on April 6, 2022, the Court issued an order granting Defendant Apple Inc.’s
2 (“Apple”) Motion to Dismiss Plaintiff’s First Amended Complaint (Dkt. 52) (“Order”) and
3 directed that any amended pleading be filed within 21 days of the Order;

4 WHEREAS, on April 26, 2022, Plaintiff timely filed the Second Amended Complaint (Dkt.
5 53) (“SAC”);

6 WHEREAS, Apple’s default deadline to respond to the SAC is May 10, 2022, pursuant to
7 Fed. R. Civ. Proc. 15(a)(3);

8 WHEREAS, the parties have conferred regarding an extension of Apple’s time to file a
9 Motion to Dismiss the SAC and a mutually agreeable briefing schedule, and respectfully request,
10 pursuant to Civil L.R. 6-2, that the Court enter a stipulated order granting the parties’ requested
11 briefing schedule. There is good cause for this request because (1) the parties have agreed to
12 reasonable extensions as a professional courtesy and due to pre-planned business and vacation
13 travel and a graduation, and (2) the proposed extensions will not prejudice the interests of the
14 parties or the Court;

15 WHEREAS, there have been two prior extensions in this matter, and the instant request
16 will not impact any other previously set dates;

17 NOW, THEREFORE, pursuant to Civil L.R. 6-2, and subject to the approval of the Court,
18 the parties hereby stipulate to the following schedule:

- 19 1. The deadline for Apple to file its Motion to Dismiss the SAC is **May 31, 2022.**
- 20 2. The deadline for Plaintiff to file his Opposition to the Motion to Dismiss the SAC is
21 **June 24, 2022.**
- 22 3. The deadline for Apple to file its Reply in support of the Motion to Dismiss the
23 SAC is **July 12, 2022.**

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Dated: May 6, 2022

DLA PIPER LLP (US)

By: /s/ Isabelle L. Ord¹
ISABELLE L. ORD
Attorneys for Defendant
APPLE INC.

Dated: May 6, 2022

TIMONEY KNOX LLP

By: /s/ Keith T. Vernon
KEITH T. VERNON (*admitted pro hac vice*)
Attorneys for Plaintiff
MATTHEW PRICE

ORDER

Having considered the parties' Stipulation, and good cause appearing therefore, the Court hereby GRANTS the parties' Stipulation. It is HEREBY ORDERED that:

- 1. The deadline for Apple to file its Motion to Dismiss the SAC is **May 31, 2022.**
- 2. The deadline for Plaintiff to file his Opposition to the Motion to Dismiss the SAC is **June 24, 2022.**
- 3. The deadline for Apple to file its Reply in support of the Motion to Dismiss the SAC is **July 12, 2022.**

IT IS SO ORDERED.

Dated: 5/10/2022


The Hon. Haywood S. Gilliam, Jr.
United States District Judge

¹ Pursuant to N.D. Cal. Civ. L.R. 5-1(i)(3), I hereby attest that the concurrence to the filing of this document has been obtained from each signatory hereto.