

1 KEKER & VAN NEST, LLP
 DARALYN J. DURIE - #169825
 2 DAVID J. SILBERT - #173128
 710 Sansome Street
 3 San Francisco, CA 94111-1704
 Telephone: (415) 391-5400
 4 Facsimile: (415) 397-7188
 Email: ddurie@kvn.com
 5 dsilbert@kvn.com

6 Attorneys for Defendant GOOGLE, INC.

7
 8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN JOSE DIVISION *E-FILED - 2/6/06*

12 ADVANCED INTERNET TECHNOLOGIES,
 INC., a North Carolina corporation,
 13 Individually and on behalf of all others
 similarly situated,

14 Plaintiffs,

15 v.

16 GOOGLE, INC., a Delaware corporation, and
 17 DOES 1 through 100, Inclusive,

18 Defendants.

19 STEVE MIZERA, an Individual, individually
 20 and on behalf of all others similarly situated,

21 Plaintiff,

22 v.

23 GOOGLE, INC., a Delaware corporation; and
 DOES 1 through 100, inclusive,

24 Defendants.

Case No. C 05 02579 RMW

Consolidated with
Case No. C 05 02885 RMW

**STIPULATION AND
ORDER TO AMEND BRIEFING
SCHEDULE**

Judge: Hon. Ronald M. Whyte

Date Comp. Filed: June 24, 2005

Trial Date: None set

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

STIPULATION

WHEREAS, the hearing on plaintiffs’ motion for class certification is set for May 16, 2006 at 10:30 a.m.; and

WHEREAS, plaintiffs’ opening brief is currently due on February 6, 2006; Google’s opposition is currently due on March 20, 2006; and plaintiffs’ reply is currently due on April 17, 2006; and

WHEREAS, the parties mutually desire to amend this briefing schedule without affecting the hearing date or the Court’s calendar;

NOW THEREFORE, the parties hereby stipulate that the plaintiffs’ opening brief shall be filed and served no later than March 6, 2006; and Google’s opposition shall be filed and served no later than April 3, 2006.

Dated: February 2, 2006

KEKER & VAN NEST, LLP

By: /s/ David Silbert
DARALYN J. DURIE
DAVID J. SILBERT

Attorneys for Defendant GOOGLE, INC.

Dated: February 2, 2006

CHITWOOD HARLEY HARNES LLP

By: /s/ Darren Kaplan
DARREN KAPLAN, ESQ.

Attorneys for Plaintiffs
ADVANCED INTERNET
TECHNOLOGIES, INC. and STEVE
MIZERA

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

ORDER

Based upon the stipulation of the parties, and good cause appearing, IT IS HEREBY ORDERED that plaintiffs' opening brief in support of their motion for class certification shall be filed and served no later than March 6, 2006; and Google's opposition shall be filed and served no later than April 3, 2006.

IT IS SO ORDERED.

Dated: 2/6/06

By: /S/ RONALD M. WHYTE
Honorable Ronald M. Whyte
United States District Judge

1 I attest that Darren Kaplan has authorized me to electronically sign this document on his
2 behalf.

3 Dated: February 2, 2006

KEKER & VAN NEST, LLP

4

5

By: _____/s/ David Silbert

6

DAVID J. SILBERT

7

Attorneys for Defendant GOOGLE, INC.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28