

1 Joseph N. Kravec, Jr., Esquire (*pro hac vice*)
 2 Wyatt A. Lison, Esquire
 3 STEMBER FEINSTEIN DOYLE
 & PAYNE, LLC
 4 Allegheny Building, 17th Floor
 429 Forbes Avenue
 Pittsburgh, PA 15219
 Telephone: (412) 281-8400
 Facsimile: (412) 281-1007
 Email: jkravec@stemberfeinstein.com;
wlison@stemberfeinstein.com

J. Mark Moore, Esquire (180473)
 Ira Spiro, Esquire (67641)
 SPIRO MOSS, LLP
 11377 West Olympic Boulevard, Fifth Floor
 Los Angeles, CA 90064-1683
 Telephone: (310) 235-2468
 Facsimile: (310) 235-2456
 Email: mark@spiromoss.com;
ira@spiromoss.com

8 Michael D. Braun, Esquire (167416)
 9 BRAUN LAW GROUP, P.C.
 10680 West Pico Boulevard, Suite 280
 Los Angeles, CA 90064
 Telephone: (310) 836-6000
 Facsimile: (310) 836-6010
 Email: service@braunlawgroup.com

Janet Lindner Spielberg, Esquire (221926)
 LAW OFFICE OF JANET LINDNER
 SPIELBERG
 12400 Wilshire Boulevard, Suite 400
 Los Angeles, CA 90025
 Telephone: (310) 392-8801
 Facsimile: (310) 278-5938
 Email: jlspielberg@jlslp.com

ATTORNEYS FOR PLAINTIFF

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

19 JONATHAN C. KALTWASSER,)
 20 on behalf of himself and all others)
 21 similarly situated,)
 22 Plaintiff,)
 23 v.)
 24)
 25 AT&T MOBILITY, LLC f/k/a)
 26 CINGULAR WIRELESS LLC,)
 27 Defendant.)

CASE NO.: 5:07-cv-00411-JF
**STIPULATION AND ~~PROPOSED~~
 ORDER REGARDING PAGE LIMIT FOR
 PLAINTIFF'S RESPONSE TO
 DEFENDANT'S RENEWED MOTION TO
 COMPEL ARBITRATION AND STAY
 LITIGATION AND MOTION TO STRIKE
 CLASS ALLEGATIONS**
 Judge: Honorable Jeremy Fogel
 Date: September 9, 2011
 Time: 9:00am
 Courtroom: 3

28 **Stipulation and [Proposed] Order Regarding Page Limit for Plaintiff's Response to Defendant's Renewed Motion to Compel Arbitration and Stay Litigation and Motion to Strike Class Allegations**
 Case No.: 5:07-cv-00411-JF

1 WHEREAS, on July 13, 2011, Defendant filed a Renewed Motion to Compel Arbitration and
2 Stay Litigation and a Motion to Strike Class Allegations (collectively “Defendant’s Motions”);

3 WHEREAS, Local Rule 7-4 provides Plaintiff twenty-five (25) pages for each memorandum
4 responding to Defendant’s Motions, and provides Defendant fifteen (15) pages for each reply
5 memorandum;

6 WHEREAS, Plaintiff’s responses to Defendant’s Renewed Motion to Compel Arbitration and
7 Stay Litigation and to Defendant’s Motion to Strike Class Allegations present many of the same
8 background and legal arguments in each, making much of the two responses duplicative;

9 WHEREAS, pursuant to Local Rule 7.4(b), Plaintiff hereby moves the Court for permission
10 to file a single brief not to exceed forty (40) pages instead of filing two separate twenty-five (25)
11 page briefs.

12 WHEREAS, Defendant stipulates to this request and reserves its right to file two separate
13 reply briefs of fifteen (15) pages each as provided by the Local Rule 7-4.

14 **THEREFORE, IT IS HEREBY STIPULATED** that Plaintiff shall have up to forty (40)
15 pages to file a combined opposition to Defendant’s Renewed Motion to Compel Arbitration and Stay
16 Litigation and Defendant’s Motion to Strike Class Allegations.

17
18
19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

20
21 Dated: August 17, 2011



Honorable Jeremy Fogel

1 The Parties respectfully request that this Court enter this Stipulation.

2 Dated: August 8, 2011

3 **AGREED TO BY:**

4 **STEMBER FEINSTEIN DOYLE**
5 **& PAYNE, LLC**

McKENNA LONG & ALDRIDGE LLP

6 By: s/Joseph N. Kravec, Jr.
7 Joseph N. Kravec, Jr. (*pro hac vice*)
Wyatt A. Lison

By: s/Nathan L. Garroway via email consent
Nathan L. Garroway (*pro hac vice*)
David L. Balser (*pro hac vice*)

8 429 Forbes Avenue
9 Allegheny Building, 17th Floor
Pittsburgh, PA 15219
10 Telephone: (412) 281-8400
Facsimile: (412) 281-1007
11 Email: jkravec@stemberfeinstein.com
12 wlison@stemberfeinstein.com

303 Peachtree Street, N.E., Suite 5300
Atlanta, GA 30308
Telephone: (404) 527-4000
Facsimile: (404) 527-4198
Email: ngarroway@mckennalong.com
dbalser@mckennalong.com

13 J. Mark Moore, Esquire (180473)
Ira Spiro, Esquire (67641)
14 **SPIRO MOSS, LLP**
15 11377 West Olympic Boulevard, Fifth Floor
Los Angeles, CA 90064-1683
16 Telephone: (310) 235-2468
Facsimile: (310) 235-2456
17 Email: mark@spiro moss.com
ira@spiro moss.com

Donald M. Falk (150256)
MAYER BROWN LLP
Two Palo Alto Square, Suite 300
3000 El Camino Real
Palo Alto, California 94306-2112
Telephone: (650) 331-2000
Facsimile: (650) 331-2060
Email: dfalk@mayerbrown.com

18
19 Michael D. Braun, Esquire (167416)
BRAUN LAW GROUP, P.C.
20 10680 West Pico Boulevard, Suite 280
Los Angeles, CA 90064
21 Telephone: (310) 836-6000
Facsimile: (310) 836-6010
22 Email: service@braunlawgroup.com

Evan M. Tager, Esquire
Archis A. Parasharami, Esquire
MAYER BROWN LLP
1999 K Street NW
Washington, DC 20006
Telephone: (202) 263-3000
Facsimile: (202) 263-3300
Email: etager@mayerbrown.com
aparasharami@mayerbrown.com

23
24 *Attorneys for Defendant ATT Mobility f/k/a*
25 *Cingular Wireless LLC*

1 Janet Lindner Spielberg, Esquire (221926)
2 LAW OFFICE OF JANET LINDNER
3 SPIELBERG
4 12400 Wilshire Boulevard, Suite 400
5 Los Angeles, CA 90025
6 Telephone: (310) 392-8801
7 Facsimile: (310) 278-5938
8 Email: jlspielberg@jlslp.com

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28 *Attorneys for Plaintiff and the Proposed Class*