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Attorneys for Plaintiffs

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

17 CHAD BRAZIL and STEVEN SEICK,
 individually and on behalf of all others
 18 similarly situated,

Plaintiffs,

v.

21 DELL INC. and Does 1-10,

Defendant.

Case No. C-07-01700 RMW

**STIPULATED REQUEST FOR FURTHER
 CASE MANAGEMENT CONFERENCE**

AND ORDER

1 Pursuant to Local Rule 16-10(c), Plaintiffs Chad Brazil and Steven Seick
2 (“Plaintiffs”) request, with the consent of Defendant Dell Inc. (“Defendant”), that the Court
3 vacate the current Case Management Conference set for November 7, 2008 and schedule a further
4 Case Management Conference for 10:30 a.m., Friday, January 9, 2009. As grounds therefore,
5 Plaintiffs state as follows:

6 1. On September 26, 2008, during a previous Case Management Conference,
7 the Court scheduled a further Case Management Conference for November 7, 2008, as the parties
8 were going to be appearing in Court that day anyway for a hearing on a motion to dismiss filed by
9 Dell. The Court has since vacated the hearing on Dell’s motion to dismiss, and both Plaintiffs
10 and Dell agree that the CMC that was scheduled to be had along with the hearing on the motion to
11 dismiss is not needed at this time.

12 2. Plaintiffs believe that the Court indicated its preference to hold a Case
13 Management Conference subsequent to the hearing on Dell’s motion to dismiss. In vacating the
14 November 7, 2008, hearing on Dell’s motion, the Court indicated that if it is to hold a hearing on
15 the motion it will do so on or after December 5, 2008. Accordingly, Plaintiffs believe it is within
16 the best interests for the fair adjudication of this matter for the Court to reschedule to the CMC
17 that is currently scheduled for November 7, 2008 for some reasonable time after the Court
18 anticipates holding a hearing on Dell’s motion to dismiss.

19 3. Dell does not oppose Plaintiffs’ request for a CMC.

20 Therefore, Plaintiffs request, with the consent of Dell, that the Court vacate the
21 current Case Management Conference set for November 7, 2008 and schedule a further Case
22 Management Conference for 10:30 a.m., Friday, January 9, 2009.

23 IT IS SO STIPULATED.

24 Dated: November 4, 2008

LIEFF, CABRASER, HEIMANN &
BERNSTEIN LLP

25
26 By: /s/ Michael W. Sobol
27 Michael W. Sobol
28 Attorneys for Plaintiffs

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Dated: November 4, 2008

FARELLA BRAUN & MARTEL
LLP

By: /s/ C. Brandon Wisoff
C. Brandon Wisoff
Attorneys for Defendant

ORDER

For good cause shown and pursuant to stipulation, IT IS SO ORDERED.

Dated: 11/6, 2008


United States District Judge

for Judge
Whyte