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E-FILED - 9/8/08

13 *Attorneys for Plaintiffs*

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 CHAD BRAZIL and STEVEN SEICK,
 17 individually and on behalf of all others
 18 similarly situated,
 19 Plaintiffs,
 20 v.
 21 DELL INC. and Does 1-10,
 22 Defendant.

Case No. C-07-01700 RMW
**AMENDED STIPULATION AND
 [] ORDER REGARDING
 DEFENDANT DELL, INC.'S RESPONSE
 TO SECOND AMENDED COMPLAINT**

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1 Pursuant to Local Rule 6-2, Plaintiffs Chad Brazil and Steven Seick ("Plaintiffs")
2 and Defendant Dell Inc. ("Defendant"), by and through their respective counsel, hereby stipulate
3 as follows:

4 1. On July 7, 2008, the Court entered an order granting in part Defendant's
5 motion to dismiss Plaintiffs' First Amended Complaint and strike class allegations. The Court
6 gave Plaintiffs twenty (20) days leave to file a Second Amended Complaint ("SAC").

7 2. On July 25, 2008 Plaintiffs filed their SAC in this case.

8 3. Also on July 25, 2008, Plaintiffs and Defendant filed a stipulation and
9 proposed order regarding Defendant's response to the SAC [Docket No. 75], which included a
10 proposed briefing schedule in the event that Defendant's response to the SAC was by motion.
11 The deadlines included in that briefing schedule were based on the expectation that the Court
12 would hear Defendant's motion, if any, on approximately regular notice (i.e. 35 days).

13 4. On August 22, 2008, Defendant filed a motion to dismiss Plaintiffs' SAC
14 and strike class allegations. The hearing on Defendant's motion is scheduled for November 7,
15 2008.

16 5. The scheduled hearing date provides the parties with more time to brief
17 Defendant's motion than the parties anticipated when they filed their previous stipulation and
18 proposed order on July 25, 2008. Plaintiffs and Defendants therefore ask the Court to adopt the
19 following revised briefing schedule regarding Defendant's pending motion to dismiss Plaintiffs'
20 SAC and strike class allegations, pursuant to which Defendant's reply will still be filed the
21 customary two weeks prior to the scheduled hearing date:


- 22 a. Plaintiffs' opposition shall be filed on or before October 3, 2008;
- 23 b. Defendant's reply shall be filed on or before October 24, 2008;
- 24 c. The hearing on Defendant's motion shall be held on November 7,
25 2008.

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27 IT IS SO STIPULATED.
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Dated: August 27, 2008

LIEFF, CABRASER, HEIMANN &
BERNSTEIN LLP

By: 
Roger N. Heller
Attorneys for Plaintiffs

Dated: _____, 2008

FARELLA BRAUN & MARTEL
LLP

By: _____
C. Brandon Wisoff
Attorneys for Defendant

ORDER

For good cause shown, IT IS SO ORDERED.

Dated: _____, 2008

United States District Judge

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Dated: _____, 2008

LIEFF, CABRASER, HEIMANN &
BERNSTEIN LLP

By: _____
Roger N. Heller
Attorneys for Plaintiffs

Dated: 8-29, 2008

FARELLA BRAUN & MARTEL
LLP

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

ORDER

For good cause shown, IT IS SO ORDERED.

Dated: 9/8, 2008

Ronald M. Whyte
United States District Judge

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