

United States District Court
For the Northern District of California

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

E-FILED on 1/4/10

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MICHAEL EWERT, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

EBAY, INC., DOES 1-100, inclusive,

Defendants.

No. C-07-02198 RMW

ORDER SETTING AMENDED BRIEFING
SCHEDULE AND HEARING DATE

[Re Docket Nos. 86, 88]

On December 30, 2009, the court set a briefing scheduling and hearing date of February 5, 2010 for plaintiff Michael Ewert's motion to certify a class and to appoint counsel for the proposed class. In light of the parties' proposed scheduling order, which was filed on June 19, 2009, the court hereby vacates its earlier scheduling order and adopts the following amended briefing schedule and hearing date for both motions:

- January 28, 2010: Opposition due
- February 25, 2010: Reply due
- March 19, 2010: Hearing on both motions at 9:00 a.m. in Courtroom 6, 4th Floor, 280 South First Street, San Jose, California.

DATED: 1/4/10


RONALD M. WHYTE
United States District Judge

1 **Notice of this document has been electronically sent to:**

2 **Counsel for Plaintiff:**

3 John R. Fabry jfabry@galyen.com
4 Charles Stewart Bishop cbishop@connbish.com
5 Patricia Ann Carlson pcartex@sbcglobal.net

6 **Counsel for Defendants:**

7 Michael Graham Rhodes rhodesmg@cooley.com
8 Heather Coe Meservy hmeservy@cooley.com
9 Joseph Samuel Leventhal leventhaljs@cooley.com
10 Lori Renee Ellis Ploeger lploeger@cooley.com
11 Whitty Somvichian wsomvichian@cooley.com

12
13 Counsel are responsible for distributing copies of this document to co-counsel that have not
14 registered for e-filing under the court's CM/ECF program.

15
16
17
18 **Dated:** 1/4/10

CCL
Chambers of Judge Whyte