

1 Neil A. Goteiner (State Bar No. 083524)
 2 Dennis M. Cusack (State Bar No. 124988)
 3 Carly O. Alameda (State Bar No. 244424)
 4 Farella Braun & Martel LLP
 5 235 Montgomery Street, 17th Floor
 6 San Francisco, CA 94104
 7 Telephone: (415) 954-4400
 8 Facsimile: (415) 954-4480
 9 E-mail: ngoteiner@fbm.com, dcusack@fbm.com,
 10 calameda@fbm.com

11 Attorneys for Plaintiff
 12 COUPONS, INC.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

16 COUPONS, INC.,

17 Plaintiff,

18 vs.

19 JOHN STOTTMIRE, and DOES 1-10,

20 Defendants.

Case No. 5:07-CV-03457 HRL

STIPULATION AND [PROPOSED] ORDER
 TO EXTEND TIME TO FILE OPPOSITION
AND REPLY TO MOTION TO DISMISS

Date: April 22, 2008

[N.D. Local Rule 6-2]

21 Plaintiff Coupons, Inc. and Defendant John Stottlemire hereby file this Stipulation
 22 extending Plaintiff's time to file an opposition to Defendant's Motion to Dismiss, and extending
 23 Defendant's time to file the reply to Plaintiff's opposition.

24 WHEREAS, on December 27, 2007, Plaintiff Coupons, Inc. filed its Second Amended
 25 Complaint;

26 WHEREAS, on February 26, 2008, Defendant Stottlemire filed a Motion to Dismiss For
 27 Failure to State a Claim On Which Relief Can Be Granted;

28 WHEREAS, Defendants' opposition to the motion to dismiss is due on April 1, 2008, and
 Stottlemire's reply is due on April 8, 2008;

WHEREAS, the hearing on the motion to dismiss is set for April 22, 2008;

1 WHEREAS, the Samuelson Law, Technology & Public Policy Clinic filed a “Notice of
2 Motion and Motion of the Electronic Frontier Foundation for Leave to File Amicus Curiae Brief
3 in Support of Defendant’s Motion to Dismiss” and the accompanying brief on March 25, 2008,
4 which included overlapping and additional arguments relevant to the motion to dismiss;

5 WHEREAS, Plaintiff would like to address and respond to all issues regarding its Second
6 Amended Complaint and the motion to dismiss, raised by both Defendant Stottlemire and the
7 Amicus brief, in one opposition;

8 WHEREAS, the parties have agreed that Plaintiff’s time to oppose the motion to dismiss
9 should be extended to April 4, 2008, in order to allow Plaintiff sufficient time to research the
10 additional points raised in the Amicus brief;

11 WHEREAS, the parties have also agreed that Defendant Stottlemire will receive the same
12 amount of additional days to reply to the opposition, which would extend the time to reply to
13 April 11, 2008;

14 WHEREAS, the parties agree that the hearing will take place on April 22, 2008, as
15 previously scheduled.

16 IT IS HEREBY STIPULATED by and between the parties hereto that Plaintiff will have
17 to and including April 4, 2008, to serve and file its opposition to the motion to dismiss (including
18
19
20
21
22
23
24
25
26
27
28

1 any response to the proposed amicus brief), and Defendant will have to and including April 11,
2 2008 to reply to Plaintiff's opposition.

3 Dated: March 28, 2008

FARELLA BRAUN & MARTEL LLP

4

5

By: /s/ Dennis M. Cusack
Dennis M. Cusack

6

7

Attorneys for Plaintiff
COUPONS, INC.

8

Dated: March 28, 2008

9

10

By: /s/ John Stottlemire
John Stottlemire
Defendant, *pro se*

11

12

13

ORDER

14

15

Good cause appearing therefor, IT IS HEREBY ORDERED that Plaintiff Coupons, Inc.
will have to and including April 4, 2008, to serve and file its opposition to Defendant's motion to
dismiss (including any response to the proposed amicus brief), and Defendant will have to and
including April 11, 2008 to reply to Plaintiff's opposition.

16

17

18

IT IS SO ORDERED.

19

20

DATED: _____

21

The Honorable Howard R. Lloyd
Judge of the United States District Court

22

23

24

25

26

27

28