

E-filed 4/3/08

1 SAMUELSON LAW, TECHNOLOGY
 & PUBLIC POLICY CLINIC
 2 JASON M. SCHULTZ (SBN 212600)
 JENNIFER A. LYNCH (SBN 240701)
 3 DOMENIC IPPOLITO (*Application for*
Student Practice Pending)
 4 HARI O'CONNELL (*Application for*
Student Practice Pending)
 5 UC Berkeley Law School
 389 Simon Hall
 6 Berkeley, CA 94720
 Telephone: (510) 642-7515
 7 Facsimile: (510) 643-4625
 jlynch@law.berkeley.edu
 8
 Attorneys for *Amicus Curiae*
 9 Electronic Frontier Foundation

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION
 13

14 COUPONS, INC.,
 15 Plaintiff,
 16 v.
 17 JOHN STOTTLEMIRE and DOES 1-10,
 18 Defendants.
 19

Case No. 5:07-CV-03457 HRL

**STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE HEARING
 DATE ON DEFENDANT'S MOTION
 TO DISMISS TO MAY 13, 2008**

Date: May 6, 2008

[N.D. Cal. Local Rule 6-2]

1 Amicus Curiae Electronic Frontier Foundation, Plaintiff Coupons, Inc., and
2 Defendant John Stottlemire hereby file this Stipulation requesting the Court continue the hearing
3 date on Defendant John Stottlemire's Motion to Dismiss, currently scheduled by the Court for
4 May 6, 2008, by one week to May 13, 2008.

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

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

9 WHEREAS, on March 25, 2008, Amicus Curiae Electronic Frontier Foundation
10 (EFF) filed Motions for Leave to File an Amicus Curiae Brief and for Leave to Appear and
11 Participate in Oral Argument in support of Defendant's Motion.

12 WHEREAS, on March 31, 2008, the Court granted EFF's two motions and
13 ordered the brief to be filed;

14 WHEREAS, on March 31, 2008, the Court signed a stipulation and order
15 allowing Plaintiff to file its Opposition to the Motion to Dismiss on April 4, 2008, and allowing
16 Defendant to file his Reply on April 11, 2008, and moving the hearing date on the Motion to
17 May 6, 2008;

18 WHEREAS, as stated in the accompanying Declaration of Jennifer Lynch, EFF's
19 attorneys, Jennifer Lynch and Jason Schultz, are both scheduled to attend a conference out of
20 town during the week of May 5, 2008;

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

