

1 MICHAEL F. RAM (SBN 104805)
mfr@lrolaw.com
2 LEVY, RAM & OLSON LLP
639 Front Street, 4th Floor
3 San Francisco, CA 94111
Telephone: 415-433-4949
4 Facsimile: 415-433-7311

5 MARC H. EDELSON (*Pro Hac Vice*)
medelson@edelson-law.com
6 EDELSON & ASSOCIATES, LLC
45 w. Court Street
7 Doylestown, PA 18901
Telephone: 215-230-8043
8 Facsimile: 215-230-8735

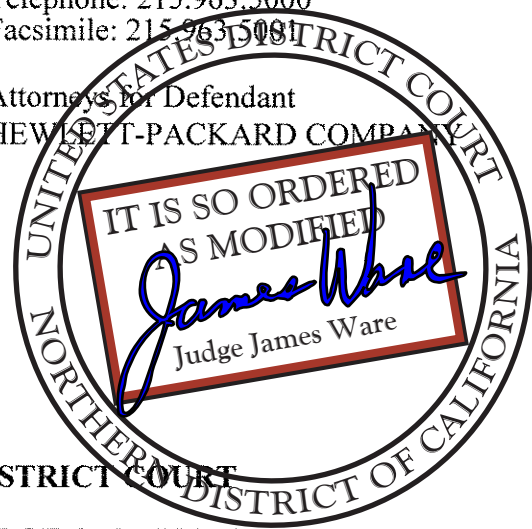
9 JEFFREY L. KODROFF (*Pro Hac Vice*)
jkodroff@srkw-law.com
10 JOHN A. MACORETTA
JMacoretta@srkw-law.com
11 SPECTOR, ROSEMAN & KODROFF, P.C.
1818 Market Street, Suite 2500
12 Philadelphia, PA 19103
Telephone: 215-496-0300
13 Facsimile: 215-496-6611

14 Attorneys for Plaintiffs
NATHAN NYGREN and
15 STEPHEN SHIFFLETTE

HOWARD HOLDERNESS (SBN 169814)
hholderness@morganlewis.com
MORGAN, LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, CA 94105
Telephone: 415.442.1000
Facsimile: 415.442.1001

ROBERT A. PARTICELLI (PAB 82651)
(*Pro Hac Vice*)
rparticelli@morganlewis.com
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103
Telephone: 215.963.5000
Facsimile: 215.963.5091

Attorneys for Defendant
HEWLETT-PACKARD COMPANY



16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 (SAN JOSE DIVISION)

19 NATHAN NYGREN and STEPHEN
20 SHIFFLETTE, on behalf of themselves and
21 all others similarly situated,

22 Plaintiffs,
23 v.

24 HEWLETT-PACKARD COMPANY, a
Delaware corporation,
25 Defendant.

CASE NO. 07-05793 JW (HRL)

CLASS ACTION

JOINT STIPULATION AND
[PROPOSED] ORDER AMENDING
JOINT CASE MANAGEMENT
STATEMENT AND SCHEDULING
ORDER

BEFORE: Hon. James Ware

1 WHEREAS, on March 18, 2008, the Parties filed a Joint Case Management Statement
2 and Rule 26(f) Report and agreed to certain dates concerning Plaintiffs' intended motion for class
3 certification;

4 WHEREAS, the Court entered a Scheduling Order Re: Class Discovery on April 10, 2008
5 that set the close of class discovery at December 19, 2008 and scheduled the hearing on
6 Plaintiffs' Motion for Class Certification on February 23, 2008;

7 WHEREAS, on March 27, 2008, Defendant filed a Motion to Dismiss, and on October
8 24, 2008, the Court granted Defendant's Motion in part and denied it in part, and granted the
9 Plaintiffs leave to amend;

10 WHEREAS, Plaintiffs intend to file a Second Amended Complaint on or before
11 November 24, 2008 and Defendant intends to file a renewed Motion to Dismiss pursuant to
12 Federal Rule of Civil Procedure 12(b)(6);

13 WHEREAS the dates in the Court's April 10, 2008 Scheduling Order are no longer
14 feasible in light of the Court's October 24, 2008 Order regarding HP's Motion to Dismiss and the
15 prospective filing of a Second Amended Complaint and a renewed Motion to Dismiss.

16 NOW, WHEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among
17 the Parties to the above-captioned matter, and by and between their undersigned counsel that:

18 1. The Parties respectfully request that the Court set the following deadlines and
19 amend the April 10, 2008 Scheduling Order Re: Class Discovery as follows:

20 Class Certification Discovery Deadline: August 19, 2009

21 Class Certification Hearing: December 20, 2009

22 2. The Parties hereby stipulate, and respectfully request that the Court approve the
23 following timetable, and amend Paragraph 16 of the Joint Case Management Statement and Rule
24 26(f) Report as follows:

25 Plaintiffs' Class Certification Motion and September 15, 2009
26 Expert Reports:

27 Defendants's Opposition and Expert Reports: October 30, 2009

28 Rebuttal Class Certification Expert Reports: November 30, 2009

2 3. The filer of this document attests that concurrence in the filing of this document
3 has been obtained from the other signatory.

4
5
6
7
8 Dated: December 1, 2008

LEVY, RAM & OLSON

9
10 By: /s/

11 Michael F. Ram
12 mfr@lrolaw.com
13 639 Front Street, 4th Floor
14 San Francisco, CA 94111
15 Telephone: (415) 433-4949
16 Facsimile: (415) 433-7311

17 *Attorneys for Plaintiffs*

18 Dated: December 1, 2008

MORGAN, LEWIS & BOCKIUS LLP

19
20 By: /s/

21 Robert A. Particelli (*Pro Hac Vice*)
22 rparticelli@morganlewis.com
23 MORGAN, LEWIS & BOCKIUS LLP
24 1701 Market Street
25 Philadelphia, PA 19103
26 Telephone: 215-963-5000
27 Facsimile: 215-963-5001

28 *Attorneys for Defendant*

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

~~[PROPOSED]~~ ORDER

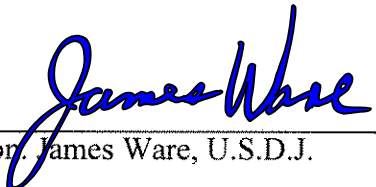
PURSUANT TO THE TERMS OF THE STIPULATION, IT IS HEREBY ORDERED
AS MODIFIED THAT:

1. The Parties shall comply with the following schedule:

| | |
|---|------------------------------------|
| Class Certification Discovery Deadline: | August 19, 2009 |
| Plaintiffs' Class Certification Motion and Expert Reports: | September 15, 2009 |
| Defendants's Opposition and Expert Reports: | October 30, 2009 |
| Rebuttal Class Certification Expert Reports: | November 18, 2009 |
| Plaintiffs' Reply Brief: | November 27, 2009 |
| Class Certification Hearing: | December 14, 2009 at 9 a.m. |

2. The March 18, 2008 Joint Case Management Statement and Rule 26(f) Report and
the April 10, 2008 Scheduling Order Re: Class Discovery are amended as above.

DATED: December 10, 2008



The Hon. James Ware, U.S.D.J.