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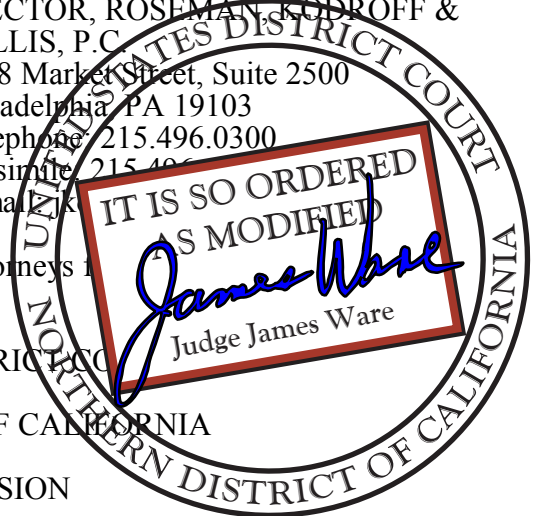
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION



NATHAN NYGREN, STEPHEN
SHIFFLETTE and AMY FROMKIN, on
behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

HEWLETT-PACKARD COMPANY, a
Delaware corporation,

Defendant.

Case No. 07-05793 (JW)

**STIPULATED REQUEST FOR ORDER
AND ~~PROPOSED~~ ORDER EXTENDING
CLASS DISCOVERY AND BRIEFING
DEADLINES**

Action filed: November 14, 2007
Trial: October 5, 2010

1 Through this Stipulated Request and [Proposed] Order, Plaintiffs Nathan Nygren, Stephen
2 Shifflette and Amy Fromkin (together, "Plaintiffs") and Defendant Hewlett-Packard Company
3 ("HP") stipulate and agree to extend the class discovery and briefing deadlines as set forth below,
4 and jointly seek that the Court approve this extension pursuant to Civil L.R. 6-2.

5 WHEREAS, on March 18, 2008, the parties filed a Joint Case Management Statement and
6 Rule 26(f) Report;

7 WHEREAS, on December 2, 2008, the parties filed a Joint Stipulation And Proposed
8 Order Amending Joint Case Management Statement and Scheduling Order in light of Plaintiffs'
9 filing a Second Amended Complaint and Defendant's intention to file a renewed Motion To
10 Dismiss;

11 WHEREAS, on December 10, 2008, the Court entered an Order setting certain dates
12 regarding discovery and class certification;

13 WHEREAS, on May 28, 2009, the Court issued its Order Granting In Part And Denying
14 In Part Defendant's Motion To Dismiss Plaintiffs' Second Amended Complaint;

15 WHEREAS, on June 12, 2009, the parties filed a Joint Case Management Statement
16 setting forth the following class certification discovery and briefing schedule:

17	Class Certification Discovery Deadline:	August 28, 2009
18	Plaintiffs' Class Certification Motion:	September 28, 2009
19	HP's Opposition:	November 13, 2009
20	Plaintiffs' Reply	December 14, 2009
21	Class Certification Hearing:	January 4, 2010

22 WHEREAS, pursuant to the parties' Joint Case Management Statement, the Court entered
23 an Order on June 23, 2009 adopting the parties' proposed class certification discovery and
24 briefing schedule with the following modification:

25	Class Certification Hearing:	January 25, 2010
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26 WHEREAS, since the issuance of the Court's Third Scheduling Order on June 23, 2009,
27 the parties have exchanged additional discovery requests and have continued to produce
28 discovery in earnest;

1 WHEREAS, despite their efforts to maintain the class certification discovery deadline,
2 which currently is set to pass in eighteen (18) days, the parties require additional time to complete
3 class certification discovery, including to coordinate depositions and to complete the exchange
4 and/or inspection of documents and other items;

5 WHEREAS, the parties engaged in a mediation session on July 14, 2009 and continue to
6 explore a potential resolution;

7 WHEREAS, the parties, therefore, also request this extension in an effort to avoid what
8 may be an unnecessary and/or premature expenditure of time and expense;

9 WHEREAS, the parties have neither agreed to nor sought a prior extension of time on the
10 class certification discovery and/or briefing deadlines; and

11 WHEREAS, the requested time modification will not effect the schedule for merits
12 discovery and/or trial as proposed by the parties' June 12, 2009 Joint Case Management Schedule
13 and modified by the Court's June 23, 2009 Order;

14 ACCORDINGLY, pursuant to Civil Local Rules 6-2 and 7-12, the parties hereby stipulate
15 to, and request the Court's approval of, the following extended class certification discovery and
16 briefing schedule:

Class Certification Discovery Deadline:	November 30, 2009
Plaintiffs' Class Certification Motion:	December 21, 2009
HP's Opposition:	January 29, 2010
Plaintiffs' Reply	February 19, 2010
Class Certification Hearing:	March 8, 2010 at 9 a.m.

22 Dated: August 10, 2009

MORGAN, LEWIS & BOCKIUS LLP

24
25 By: /s/ Robert A. Particelli
Robert A. Particelli

26 Attorneys for Defendant
27 HEWLETT-PACKARD COMPANY
28

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2 Dated: August 10, 2009

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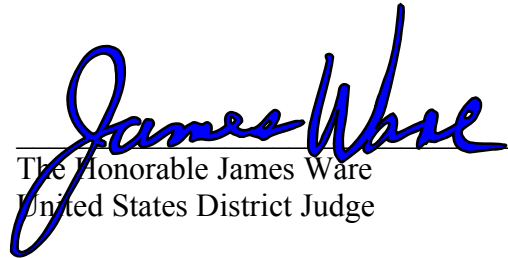
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5 By: /s/ Marc H. Edelson

Marc H. Edelson

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7 Attorneys for Plaintiffs

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9 PURSUANT TO STIPULATION, IT IS SO ORDERED **AS MODIFIED**.

10
11 Dated: August 19, 2009

12 
The Honorable James Ware
United States District Judge