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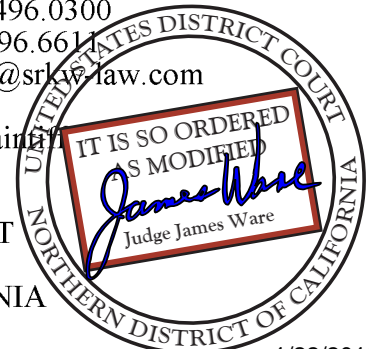
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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION



1/22/2010

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

Plaintiffs,

v.

24 HEWLETT-PACKARD COMPANY, a  
 25 Delaware corporation,

Defendant.

Case No. 07-05793 (JW)

**STIPULATED REQUEST FOR ORDER  
 AND [PROPOSED] ORDER REGARDING  
 CLASS CERTIFICATION BRIEFING AND  
 MOTION TO COMPEL DISCOVERY  
 DEADLINE**

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

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Through this Stipulated Request and [Proposed] Order, Plaintiffs Nathan Nygren, Stephen Shifflette and Amy Fromkin (together, “Plaintiffs”) and Defendant Hewlett-Packard Company (“HP”) stipulate and agree to the following as set forth below, and jointly seek that the Court approve this extension pursuant to Civil L.R. 6-2.

WHEREAS, on November 4, 2009, the parties filed a Stipulated Request for an Order and Proposed Order Extending Class Certification Discovery and Briefing Deadlines requesting the Court’s approval of the following modifications to the class certification discovery and briefing schedule:

- Class Certification Discovery Deadline: January 8, 2010
- Plaintiffs’ Class Certification Motion: January 29, 2010
- HP’s Opposition: March 5, 2010
- Plaintiffs’ Reply: March 26, 2010
- Class Certification Hearing: [Set by Court]

WHEREAS, pursuant to the parties’ November 4, 2009 Stipulated Request for an Order and Proposed Order Extending Class Certification Discovery and Briefing Deadlines, the Court issued an Order on November 20, 2009 granting the parties’ request and scheduling the class certification hearing as follows:

- Class Certification Hearing: April 12, 2010 at 9 a.m.

WHEREAS, since the issuance of the Court’s November 20, 2009 Order, the parties have exchanged additional discovery requests and have continued to produce discovery in earnest;

WHEREAS, since the issuance of the Court’s November 20, 2009 Order, the parties have scheduled and taken multiple depositions;

WHEREAS, on December 31, 2009, Plaintiffs sent a letter to HP concerning outstanding discovery requests;

WHEREAS, the parties are engaging in the meet and confer process regarding Plaintiffs’

1 letter;

2 WHEREAS, the parties agree that, following the appropriate meet and confer process,  
3 Plaintiffs shall file any motion to compel discovery arising out of the issues raised in their  
4 December 31, 2009 letter by January 29, 2010;

5 WHEREAS, even though HP does not concede that any motion to compel filed by  
6 Plaintiffs would be proper, it would not oppose any motion to compel arising out of the issues  
7 raised in Plaintiffs' December 31, 2009 letter filed by January 29, 2010 on the grounds that it was  
8 filed after the discovery cutoff date of January 8, 2010; and

9 WHEREAS, Plaintiffs believe the discovery sought in their December 31, 2009 letter may  
10 be relevant to class certification, and the parties believe a two week extension of the class  
11 certification and briefing schedule would be beneficial.

12 ACCORDINGLY, pursuant to Civil Local Rules 6-2 and 7-12, the parties hereby stipulate  
13 to, and request the Court's approval of a deadline of January 29, 2010 for Plaintiffs to file any  
14 motion to compel discovery arising out of the issues raised in their December 31, 2009 letter  
15 under the terms of this Stipulation, as well as a two week extension of the class certification  
16 briefing and argument schedule, as follows:

17	Plaintiffs' Class Certification Motion:	February 12, 2010
18	HP's Opposition:	March 19, 2010
19	Plaintiffs' Reply	April 9, 2010
20	Class Certification Hearing:	<b>May 3, 2010 at 9:00 AM</b>

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23  
24 Dated: January 15, 2010

MORGAN, LEWIS & BOCKIUS LLP

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27 By:                   /s/ Kristofor T. Henning                    
28 Kristofor T. Henning

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Attorneys for Defendant  
HEWLETT-PACKARD COMPANY

Dated: January 15, 2010

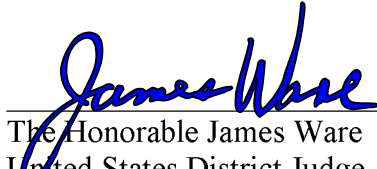
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By:           /s/ Jeffrey L. Kodroff            
Jeffrey L. Kodroff

Attorneys for Plaintiffs

PURSUANT TO STIPULATION, IT IS SO ORDERED AS MODIFIED.

Dated: January 22, 2010

  
\_\_\_\_\_  
The Honorable James Ware  
United States District Judge