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12 Attorneys for Plaintiff  
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 15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17 SAN JOSE DIVISION  
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19 DAVID ALMEIDA, individually and on  
 20 behalf of all others similarly situated,

21 Plaintiff,

22 v.

23 GOOGLE INC., a Delaware corporation; and  
 24 DOES 1 through 10, inclusive,

25 Defendants.

Case No. C 08-02088 RMW

**STIPULATION AND []  
 ORDER MODIFYING CASE SCHEDULE**

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1 WHEREAS, at the case management conference on August 15, 2008, the parties jointly  
2 submitted a proposed schedule which the Court subsequently adopted;

3 WHEREAS, since that time, the parties have been diligently pursuing discovery;

4 WHEREAS, discovery in this matter is taking longer than the parties originally  
5 anticipated;

6 WHEREAS, Google has to date produced approximately 180,000 pages of documents,  
7 but believes that additional information still remains to be identified, collected, and produced in  
8 response to Plaintiff's document requests;

9 WHEREAS, no previous extensions to the case schedule have been requested;

10 NOW THEREFORE, pursuant to the agreement of the parties:

11 IT IS HEREBY STIPULATED THAT, the Scheduling and Case Management Order  
12 should be amended to adjust the dates by approximately 120 days, with new dates set as follows:

- 13 • Plaintiff shall file and serve (1) any expert report(s) on class certification; and  
14 (2) his motion for class certification no later than August 3, 2009.
- 15 • Defendant shall file and serve (1) any expert report(s) on class certification; and  
16 (2) its opposition to class certification no later than September 4, 2009.
- 17 • Plaintiff shall file and serve his reply in support of the motion for class  
18 certification no later than September 21, 2009.
- 19 • The parties shall conduct a mediation on or before October 9, 2009.
- 20 • The hearing on Plaintiff's motion for class certification before the Court shall take  
21 place on October 23, 2009, or at another date set by the Court.
- 22 • Non-expert discovery shall be completed no later than March 2, 2010.
- 23 • Expert opening reports shall be submitted by March 9, 2010.
- 24 • Expert opposition reports shall be submitted by March 23, 2010.
- 25 • Expert reply reports shall be submitted by April 6, 2010.
- 26 • Expert discovery shall be completed no later than April 13, 2010.

1 SO STIPULATED.

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3 Dated: \_\_\_\_\_

KABATECK BROWN KELLNER LLP

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By: /s/ Alfredo Torrijos \_\_\_\_\_

ALFREDO TORRIJOS  
Attorneys for Plaintiff and the  
Proposed Class  
DAVID ALMEIDA

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10 Dated: \_\_\_\_\_

KEKER & VAN NEST, LLP

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By: /s/ David J. Silbert \_\_\_\_\_

DAVID J. SILBERT  
Attorneys for Defendant  
GOOGLE INC.

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**[] ORDER**

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IT IS SO ORDERED.

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Dated:   4/2  , 2009

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*Ronald M. Whyte*

HON. RONALD M. WHYTE  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF  
CALIFORNIA

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