

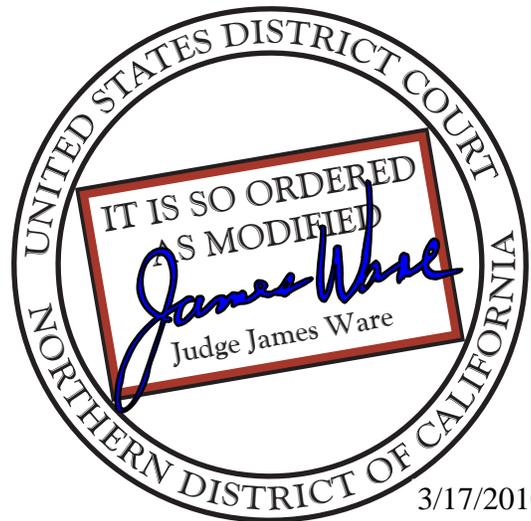
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 19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA
 21 SAN JOSE DIVISION

22
23 BRICE YINGLING D/B/A ALAMO
24 AUTOSPORTS AND ANDY SCOTT,

25 Plaintiffs,

26 v.

27 EBAY INC.,

28 Defendant.

Case No. C 09 01733 JW (PVT)

**STIPULATION AND REQUEST TO
 CONTINUE BRIEFING AND HEARING
 DATES FOR CLASS CERTIFICATION
 MOTION AND [Proposed] ORDER**

1 Defendant eBay Inc. files this stipulation and request to continue the briefing and hearing
2 schedule for Plaintiffs' anticipated motion for class certification. The Court previously set the
3 following dates related to class certification in its Scheduling Order (Docket No. 42):

- 4 • April 26, 2010: completion of all briefing on any motion for class certification.
- 5 • May 24, 2010: hearing on Plaintiffs' anticipated motion for class certification.

6 Counsel for Plaintiffs and Defendant have conferred and Plaintiffs' counsel hereby agrees
7 and stipulates to eBay's request that the Court vacate the above dates and set the following
8 revised dates related to class certification, in order to facilitate the orderly completion of
9 discovery and in light of scheduling conflicts that have arisen for eBay's lead counsel:

- 10 • Plaintiffs' Class Certification Motion and any expert reports: **April 12, 2010.**
- 11 • eBay's Opposition and any expert reports: **May 3, 2010.**
- 12 • Plaintiffs' Reply Brief: **May 17, 2010.**
- 13 • Hearing **June 14, 2010 at 9:00 AM**

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16 By: /s/ Keith Verges
17 Counsel for Plaintiffs
18 Brice Yingling and Andy Scott

By: /s/ Whitty Somvichian
Counsel for Defendant
eBay Inc.

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20 **THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED.**

21 This is the parties' final extension.

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24 DATED: March 17, 2010


The Honorable Judge James Ware

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26 *Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures, Whitty*
27 *Somvichian hereby attests that concurrence in the filing of this document has been obtained.*