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**\*E-FILED - 4/6/11\***

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNIVERSAL GRADING SERVICE, JOHN  
CALLANDRELLO, JOSEPH KOMITO and  
VADIM KIRICHENKO, individually and on  
behalf of others similarly situated,

Plaintiffs,

v.

eBAY, INC., a foreign corporation,  
AMERICAN NUMISMATIC  
ASSOCIATION, a foreign non-profit  
association, and PROFESSIONAL  
NUMISMATISTS GUILD, INC., a foreign  
corporation, BARRY STUPLER &  
COMPANY, LLC.,

Defendants.

Case No. C 09 02755 RMW (HRL)

**STIPULATION & ORDER SETTING BRIEFING  
SCHEDULE AND HEARING DATE FOR  
DEFENDANTS' MOTIONS TO DISMISS  
PLAINTIFFS' FOURTH AMENDED  
COMPLAINT**

1 Plaintiffs Universal Grading Service, John Callandrello, Joseph Komito, and Vadim  
2 Kirichenko (“Plaintiffs”), on the one hand, and Defendants eBay Inc. and Professional  
3 Numismatists Guild, Inc. (collectively “Defendants”), on the other hand, by and through their  
4 undersigned counsel, stipulate as follows:

5 WHEREAS, on March 8, 2011, the Court granted Defendants’ motions to dismiss  
6 Plaintiffs’ Third Amended Complaint and gave Plaintiffs twenty days to file a Fourth Amended  
7 Complaint (Docket No. 151);

8 WHEREAS, on March 28, 2011, Plaintiffs filed their Fourth Amended Complaint (Docket  
9 No. 152);

10 WHEREAS the Parties have taken into account the Parties’ and their respective counsels’  
11 holiday schedules and other substantive trial/hearing dates in agreeing to the proposed briefing  
12 schedule;

13 WHEREAS, the Parties desire to set a briefing schedule and a hearing date for  
14 Defendants’ motions to dismiss Plaintiffs’ Fourth Amended Complaint;

15 NOW, THEREFORE, IT IS HEREBY STIPULATED and agreed to by and between the  
16 Parties as follows:

- 17 1. Defendants will file their Motions to Dismiss on May 6.
- 18 2. Plaintiffs will file any Opposition to Defendants’ Motion to Dismiss on June 17.
- 19 3. Defendants will file any Reply to Plaintiffs’ Opposition on July 8.
- 20 4. Defendants’ Motions to Dismiss will be set for hearing on July 22 at 9:00 a.m.

21 Dated: April 4, 2011

MARINA TRUBITSKY & ASSOCIATES  
MARINA TRUBITSKY

22  
23  
24 BY: s/ Marina Trubitsky  
MARINA TRUBITSKY

25 Attorneys for Plaintiffs Universal Grading Service,  
26 John Callandrello, Joseph Komito, and Vadim  
27 Kirichenko  
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Dated: April 4, 2011

COOLEY LLP  
MICHAEL G. RHODES (116127)  
JOHN C. DWYER (136533)  
BENJAMIN F. CHAPMAN (234436)

BY: s/ Benjamin F. Chapman  
BENJAMIN F. CHAPMAN (234436)

Attorneys for Defendant eBay Inc.

Dated: April 4, 2011

GEORGE ZISER (51879)  
JEFFREY R. LISENBEE  
LEWIS BRISBOIS BISGAARD & SMITH LLP

BY: s/ JEFFREY R. LISENBEE  
JEFFREY R. LISENBEE

Attorneys for Defendant Professional Numismatic  
Guild, Inc.

**FILER'S ATTESTATION:**

Pursuant to General Order No. 45, § X(B) regarding signatures, I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from its signatories.

Dated: April 4, 2011

By: /s/ Benjamin F. Chapman  
Benjamin F. Chapman

**ORDER**

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: 4/6/11

Ronald M. Whyte  
The Honorable Ronald M. Whyte  
United States District Judge