

1 SAMUEL G. LIVERSIDGE, SBN 180578  
 sliversidge@gibsondunn.com  
 2 TIMOTHY W. LOOSE, SBN 241037  
 tloose@gibsondunn.com  
 3 **GIBSON, DUNN & CRUTCHER LLP**  
 333 South Grand Avenue  
 4 Los Angeles, California 90071-3197  
 Telephone: (213) 229-7000  
 5 Facsimile: (213) 229-7520

6 KRISTOFOR T. HENNING (*pro hac vice* pending)  
 khenning@morganlewis.com  
 7 **MORGAN, LEWIS & BOCKIUS LLP**  
 1701 Market Street  
 8 Philadelphia, PA 19103  
 Telephone: (215) 963-5882  
 9 Facsimile: (215) 963-5001

10 Attorneys for Defendant,  
 HEWLETT-PACKARD COMPANY

12 **UNITED STATES DISTRICT COURT**  
 13 **NORTHERN DISTRICT OF CALIFORNIA**  
 14 **(SAN JOSE DIVISION)**

15 **MICHAEL A. KENT, DANIEL**  
**JOHANNING, AND JAKUB CMIRAL,**  
 individually and on behalf of all those  
 16 similarly situated,  
 17 Plaintiffs,  
 18 v.  
 19 **HEWLETT-PACKARD COMPANY,** a  
 Delaware corporation,  
 20 Defendant.

CASE NO. C 09-05341 JF

**STIPULATION AND [PROPOSED]  
 ORDER EXTENDING TIME TO  
 RESPOND TO SECOND AMENDED  
 COMPLAINT AND FILE  
 DECLARATION RE SEALED  
 MATERIAL**

21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

WHEREAS, the parties continue to explore the possibility of settlement and believe a two week extension of time with respect to pending deadlines will allow the parties to determine whether settlement is possible at this stage of the litigation;

IT IS HEREBY STIPULATED by and between the parties, through their respective counsel, that


1. Defendant Hewlett-Packard Company (“HP”) may have a 14-day extension of time to file its response to Plaintiffs’ Second Amended Complaint. HP’s response will be due November 5, 2010.

2. HP also may have a 14-day extension of time to file its declaration establishing that the redacted information in Plaintiffs’ Second Amended Complaint is sealable, in accord with Local Rule 79-5(d). HP’s declaration will be due October 15, 2010.

Dated: September 28, 2010 By: /s/ Samuel G. Liversidge  
Samuel G. Liversidge  
**GIBSON, DUNN & CRUTCHER LLP**  
*Attorneys for Defendant,*  
*Hewlett-Packard Co.*

Dated: September 28, 2010 By: /s/ Michael F. Ram  
Michael F. Ram  
**RAM & OLSON LLP**  
*Attorneys for Plaintiffs*

IT IS SO ORDERED.

Dated: 9/30/10   
The Honorable Jeremy Fogel  
United States District Court Judge