

1 DAVID T. BIDERMAN, Bar No. 101577  
 JUDITH B. GITTERMAN, Bar No. 115661  
 2 M. CHRISTOPHER JHANG, Bar No. 211463  
**PERKINS COIE LLP**  
 3 180 Townsend Street, 3rd Floor  
 San Francisco, California 94107-1909  
 4 Telephone: (415) 344-7000  
 Facsimile: (415) 344-7050  
 5 Email: [DBiderman@perkinscoie.com](mailto:DBiderman@perkinscoie.com)  
 Email: [JGitterman@perkinscoie.com](mailto:JGitterman@perkinscoie.com)  
 6 Email: [CJhang@perkinscoie.com](mailto:CJhang@perkinscoie.com)

7 Attorneys for Defendant Google, Inc.

8  
 9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

11  
 12 CLRB HANSON INDUSTRIES, LLC d/b/a  
 INDUSTRIAL PRINTING, and HOWARD  
 13 STERN, on behalf of themselves and all others  
 similarly situated,

14 Plaintiffs,

15 v.

16 GOOGLE, INC.,

17 Defendant.

CASE NO. C O5-03649 JW

**STIPULATION AND [PROPOSED]  
 ORDER CONTINUING HEARING  
 DATE FOR MOTION TO DISMISS  
 AND ADVANCING CASE  
 MANAGEMENT CONFERENCE**

*(Santa Clara Superior Court  
 Case No. 1-05-CV-046409)*

19 WHEREAS, on November 14, 2005, plaintiffs CLRB Hanson Industries, LLC, dba  
 20 Industrial Printing, and Howard Stern (“Plaintiffs”) filed their First Amended Complaint against  
 21 defendant Google, Inc. (“Defendant”),

22 WHEREAS, on January 3, 2006, Defendant filed a Motion to Dismiss Plaintiffs’ First  
 23 Amended Complaint and noticed a hearing date for March 6, 2006,

24 WHEREAS, on January 5, 2006, the Court ordered, pursuant to the parties’ stipulation,  
 25 that the Joint Case Management Statement deadline be continued to April 21, 2006, and the initial  
 26 Case Management Conference be set for May 1, 2006,

27  
 28 **STIPULATION AND [PROPOSED] ORDER  
 CONTINUING HEARING DATE FOR MOTION TO  
 DISMISS AND ADVANCING CASE MANAGEMENT  
 CONFERENCE**

**CASE NO. 05-03649 JW**

BY060470.037

1 WHEREAS, on January 31, 2006, the Court, on its own motion, continued the hearing  
2 date for Defendant's Motion to Dismiss to March 13, 2006,

3 WHEREAS, the parties agree that judicial economy and efficiency would best be served  
4 by combining the hearing date for Defendant's Motion to Dismiss and the initial Case  
5 Management Conference, setting both to occur on April 3, 2006,

6 THE PARTIES THEREFORE STIPULATE and respectfully request that the Court:

7 (1) Continue the presently set March 13, 2006 hearing date for Defendant's Motion to  
8 Dismiss to April 3, 2006, at 9:00 a.m.; Defendant will serve reply papers no later than March 20,  
9 2006;

10 (2) Advance the April 21, 2006 Joint Case Management Statement deadline to March 24,  
11 2006; and

12 (3) Advance the presently set May 1, 2006 Case Management Conference to April 3,  
13 2006, at 10:00 a.m.

14 DATED: February 17, 2006

**PERKINS COIE LLP**

15 By \_\_\_\_\_ /S/  
16 M. Christopher Jhang  
17 Attorneys for Defendant,  
Google, Inc.

18 DATED: February 17, 2006

**ALEXANDER, HAWES & AUDET, LLP**

19 By \_\_\_\_\_ /S/  
20 Ryan M. Hagan  
21 Attorneys for Plaintiffs  
22 CLRB Hanson Industries, LLC,  
dba Industrial Printing, and Howard Stern and the  
Proposed Class

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: \_\_\_\_\_, 2006.

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

1 **PROOF OF SERVICE**

2 I, Susan E. Daniels, declare:

3 I am a citizen of the United States and am employed in the County of San Francisco,  
4 State of California. I am over the age of 18 years and am not a party to the within action. My  
5 business address is Perkins Coie LLP, 180 Townsend Street, 3rd Floor, San Francisco, California  
6 94107-1909. I am personally familiar with the business practice of Perkins Coie LLP. On  
7 February 17, 2005, I served the following document(s):

8 **STIPULATION AND [PROPOSED] ORDER CONTINUING HEARING DATE**  
9 **FOR MOTION TO DISMISS AND ADVANCING CASE MANAGEMENT**  
10 **CONFERENCE**

11 by placing a true copy thereof enclosed in a sealed envelope addressed to the following parties:

12 William M. Audet, Esq. Attorney for Plaintiffs and  
13 Ryan M. Hagan, Esq. the Proposed Class  
14 Jason Baker, Esq.  
15 ALEXANDER, HAWES & AUDET, LLP  
16 152 North Third Street, Suite 600  
17 San Jose, CA 95112  
18 Tel: (408) 289-1776; Fax: (408) 287-1776

16 Lester L. Levy, Esq. Attorney for Plaintiffs and  
17 Michele F. Raphael, Esq. the Proposed Class  
18 Renee L. Karalian, Esq.  
19 WOLF POPPER LLP  
20 845 Third Avenue  
21 New York, NY 10022  
22 Tel: (212) 759-4600; Fax: (212) 486-2093

20 XXX (By Mail) I caused each envelope with postage fully prepaid to be placed for  
21 collection and mailing following the ordinary business practices of Perkins Coie LLP.

22 I declare under penalty of perjury under the laws of the State of California that the above  
23 is true and correct and that this declaration was executed at San Francisco, California.

24 DATED: February 17, 2005.

25 \_\_\_\_\_ /S/

26 Susan E. Daniels