

1 MATTHEW L. LARRABEE (No. 97147)
 2 DECHERT LLP
 3 One Maritime Plaza, Suite 2300
 4 San Francisco, California 94111-3513
 5 Telephone: 415.262.4500
 6 Facsimile: 415.262.4555

7 STEVEN B. WEISBURD (No. 171490)
 8 steven.weisburd@dechert.com
 9 DECHERT LLP
 10 300 West 6th Street
 11 Suite 2010
 12 Austin, TX 78701
 13 Telephone: 512.394.3000
 14 Facsimile: 512.394.3001

15 Attorneys for Defendants,
 16 GOOGLE INC.

17 WAYNE S. KREGER (No. 154759)
 18 SARA D. AVILA (No. 263213)
 19 MILSTEIN, ADELMAN & KREGER, LLP
 20 2800 Donald Douglas Loop North
 21 Santa Monica, CA 90405
 22 Telephone: (310) 396-9600
 23 Facsimile: (310) 396-9635
 24 E-Mail: wkreger@maklawyers.com;
 25 savila@maklawyers.com

26 Attorneys for Plaintiff, Mary McKinney

HENRY WEISSMANN (No. 132418)
 MUNGER, TOLLES & OLSON LLP
 355 South Grand Avenue, Thirty-Fifth Floor
 Los Angeles, CA 90071-1560
 Telephone: (213) 683-9100
 Facsimile: (213) 687-3702
 E-mail: Henry.Weissmann@mto.com

ROSEMARIE T. RING (No. 220769)
 SARALA V. NAGALA (No. 258712)
 MUNGER, TOLLES & OLSON LLP
 560 Mission Street, Twenty-Seventh Floor
 San Francisco, CA 94105-2907
 Telephone: (415) 512-4000
 Facsimile: (415) 512-4077
 E-Mail: Rose.Ring@mto.com;
Sarala.Nagala@mto.com

Attorneys for Defendant, HTC Corporation

JOSEPH E. ADDIEGO III (No. 169522)
 JAMES C. GRANT
 (Admitted Pro Hac Vice)
 DAVIS WRIGHT TREMAINE LLP
 505 Montgomery Street, Suite 800
 San Francisco, CA 94111-6533
 Telephone: (415) 276-6500
 Facsimile: (415) 276-6599
 E-Mail: joeaddiego@dwt.com;
jamesgrant@dwt.com

Attorneys for Defendant
 T-Mobile USA, Inc.
 [Additional Counsel on Signature Page]

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

MARY McKINNEY, et al.,

Plaintiff,

v.

GOOGLE INC., a Delaware corporation,
 HTC CORP., a Taiwanese corporation, and
 T-MOBILE USA, INC., a Delaware
 corporation,

Defendants.

Case No. C 10-01177 JW

Action filed: April 15, 2010

**STIPULATED REQUEST AND
 [PROPOSED] ORDER TO CONTINUE
 JUNE 21, 2010 CASE MANAGEMENT
 CONFERENCE AND RELATED
 DEADLINES**

1 WHEREAS, on March 22, 2010, Defendants Google Inc. and T-Mobile USA, Inc.
2 removed this action from the Superior Court of the State of California in and for the County of
3 Santa Clara to this Court;

4 WHEREAS, a Case Management Conference is currently scheduled for June 21, 2010,
5 and a Case Management Statement is currently due on June 11, 2010;

6 WHEREAS, on May 27, 2010, the Hon. James Ware approved a stipulation allowing
7 Plaintiff to file her Amended Complaint by June 11, 2010; Defendants to file and serve any
8 answer(s) or motion(s) to dismiss by July 12, 2010; and, if any such motion(s) are filed, Plaintiff
9 to file any opposition by August 11, 2010 and Defendants to file any reply by August 25, 2010;

10 WHEREAS, the Court has set a hearing on dispositive motions for November 1, 2010 at
11 9:00 AM;

12 WHEREAS, Plaintiff intends to file her Amended Complaint on July 11, 2010; and
13 Defendants anticipate filing one or more motions to dismiss under Rule 12 of the Federal Rules of
14 Civil Procedure that will seek dismissal of the entire action;

15 WHEREAS, given that Plaintiff's Amended Complaint will not be filed until the current
16 due date of the Case Management Statement, and Defendants' motion(s) to dismiss will seek
17 dismissal of the entire action, the parties to this action have agreed, subject to the Court's
18 approval, that the June 21, 2010 Case Management Conference, and related deadlines for
19 complying with the requirements of Rule 26 of the Federal Rules of Civil Procedure, including
20 the June 11, 2010 deadline set by the Court for filing a Case Management Statement, should be
21 continued to avoid the unnecessary expenditure of judicial resources or effort by the parties to this
22 action and the Court prior to the Court's ruling on Defendants' anticipated dispositive motions;
23 and

24 NOW, THEREFORE, the undersigned parties, by and through their counsel of record,
25 respectfully stipulate as follows:

- 26 1. The Case Management Conference, currently scheduled for June 21, 2010, shall be
27 adjourned to a convenient date for the Court, following its rulings on Defendants'
28 anticipated dispositive motions.

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2. The current due date of June 11, 2010 for filing a Case Management Statement shall be vacated.
3. New due dates for filing a Case Management Statement and complying with other requirements of Rule 26 of the Federal Rules of Civil Procedure shall be set according to the date to be set by the Court for the Case Management Conference following its rulings on Defendants' anticipated dispositive motions.

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DATED: June 8, 2010 DECHERT LLP

By: /s/ Matthew L. Larrabee
MATTHEW L. LARRABEE

Attorneys for Defendant
GOOGLE INC.

DATED: June 8, 2010 MILSTEIN, ADELMAN & KREGER, LLP

By: /s/ Wayne S. Kreger
WAYNE S. KREGER

Attorneys for Plaintiff
MARY MCKINNEY

DATED: June 8, 2010 DAVIS WRIGHT TREMAINE LLP

By: /s/ James C. Grant
JAMES C. GRANT

Attorneys for Defendant
T-MOBILE USA, INC.

DATED: June 8, 2010 MUNGER, TOLLES & OLSON LLP

By: /s/ Rosemarie T. Ring
ROSEMARIE T. RING

Attorneys for Defendant
HTC CORPORATION

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: _____
HONORABLE JAMES WARE

1 Additional Counsel:

2 JOE R. WHATLEY, JR.
3 (Pro Hac Vice Pending)
4 EDITH M. KALLAS
5 (Pro Hac Vice Pending)
6 PATRICK J. SHEEHAN
7 (Pro Hac Vice Pending)
8 WHATLEY DRAKE & KALLAS, LLC
9 1540 Broadway, 37th Floor
10 New York, NY 10036
11 Telephone: (212) 447-7070
12 Facsimile: (212) 447-7077
13 E-Mail: jwhatley@wdklaw.com;
14 ekallas@wdklaw.com; psheehan@wdklaw.com

15 Attorneys for Plaintiff Mary McKinney

16 BRIAN W. SMITH
17 SMITH & VANTURE, LLP
18 1615 Forum Place, Suite 4C
19 West Palm Beach, FL 33401
20 Telephone: (800) 443-4529

21 Attorneys for Plaintiff Mary McKinney

HOWARD RUBINSTEIN
LAW OFFICE OF HOWARD RUBINSTEIN
914 Waters Avenue, Suite 20
Aspen, CO 81611
Telephone: (832) 715-2788

Attorneys for Plaintiff Mary McKinney

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CERTIFICATION

I, Matthew L. Larrabee, am the ECF User whose identification and password are being used to file this STIPULATED REQUEST AND [PROPOSED] ORDER TO CONTINUE JUNE 21, 2010 CASE MANAGEMENT CONFERENCE AND RELATED DEADLINES. In compliance with General Order 45.X.B., I hereby attest that Wayne S. Kreger, James C. Grant and Rosemarie T. Ring have concurred in this filing.