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 [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
[REDACTED] 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: The Case Management Conference is continued to **November 1, 2010 at 10:00 A.M.** The parties shall file a joint case management conference statement on or before **October 22, 2010.**

Dated: June 11, 2010


United States District Judge

1 Additional Counsel:

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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.