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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

21 MARY McKINNEY, et al.,  
 22 Plaintiff,

23 vs.

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

26 Defendants.

CASE NO. C 10-01177 JW

**STIPULATED REQUEST AND**  
~~PROPOSED~~ **ORDER TO EXTEND THE**  
**DEADLINE FOR PLAINTIFF TO OPPOSE**  
**DEFENDANTS' MOTIONS TO COMPEL**  
**ARBITRATION AND MOTIONS TO**  
**DISMISS AND FOR DEFENDANTS TO**  
**REPLY THERETO**

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WHEREAS, the following four (4) motions are currently pending in the above entitled action (1) T-Mobile USA, Inc.'s Motion to Compel Arbitration and Stay the Case; (2) HTC Corp.'s Motion to Compel Arbitration and Stay the Case; (3) T-Mobile USA, Inc.'s Motion to Dismiss; and (4) HTC Corp. and Google Inc.'s joint Motion to Dismiss.

WHEREAS, the current deadline for Plaintiff to oppose the Motions is August 11, 2010;

WHEREAS, the current deadline for Defendants to reply to Plaintiff's opposition to the Motions is August 25, 2010;

WHEREAS, given that the hearing date for the Motions is scheduled for November 1, 2010, and the current deadlines are based upon a modified briefing scheduled stipulated to by the parties, the parties to this action have agreed at Plaintiff's request, subject to the Court's approval, that the deadline for Plaintiff to oppose the Motions should be continued to August 25, 2010 and the deadline for Defendants to reply to Plaintiff's opposition to the Motions should be continued to September 22, 2010;

NOW THEREFORE, plaintiff and defendants through their counsel of record, respectfully stipulate as follows:

1. The current due date of August 11, 2010 for Plaintiff to oppose the Motions shall be vacated, and the new deadline set for August 25, 2010.
2. The current due date of August 25, 2010 for Defendants to reply to Plaintiff's opposition to the Motions shall be vacated, and the new deadline set for September 22, 2010.



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Mary McKinney

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

1. The current due date of August 11, 2010 for Plaintiff to oppose the Motions shall be vacated, and the new deadline set for August 25, 2010.
2. The current due date of August 25, 2010 for Defendants to reply to Plaintiff's opposition to the Motions shall be vacated, and the new deadline set for September 22, 2010.

Dated: August 17, 2010

  
United States District Judge

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**CERTIFICATION**

I, Sara Avila , am the ECF User whose identification and password are being used to file this STIPULATED REQUEST AND [PROPOSED] ORDER TO EXTEND THE DEADLINE FOR PLAINTIFF TO OPPOSE DEFENDANTS' MOTIONS TO COMPEL ARBITRATION AND MOTIONS TO DISMISS AND FOR DEFENDANTS TO REPLY THERETO. In compliance with General Order 45.X.B., I hereby attest that Wayne S. Kreger, Matthew L. Larrabee, Rosemarie T. Ring, and Jim Grant concurred in this filing.