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8 Attorneys for Defendants  
21st CENTURY INSURANCE Co., ACCENTURE PLC, AMERICAN  
9 INTERNATIONAL GROUP, INC.; CANADIAN IMPERIAL BANK OF  
COMMERCE; CAPITAL ONE FINANCIAL CORP.; CITICORP  
10 CREDIT SERVICES, INC. (USA); COX COMMUNICATIONS, INC.;  
CVS PHARMACY, INC.; FAIR ISAAC CORP.; FAIRMONT RAFFLES  
11 HOTELS INTERNATIONAL INC.; HCL TECHNOLOGIES LTD.;  
COMPARISON MARKET GROUP, INC. F/K/A INSURANCE.COM;  
12 JPMORGAN CHASE BANK; LLOYDS TSB BANK PLC; NESS  
TECHNOLOGIES, INC.; NESS GLOBAL SERVICES, INC.;  
13 PRINCIPAL FINANCIAL GROUP, INC.; PRICELINE.COM INC.;  
REGENTS PLACE LLC, A SUCCESSOR TO METAPATH SOFTWARE  
14 INTERNATIONAL INC.; ROGERS COMMUNICATIONS  
PARTNERSHIP; ROYAL BANK OF SCOTLAND; TATA  
15 CONSULTANCY SERVICES, LTD.; THOMSON REUTERS  
HEALTHCARE INC.; TIME WARNER CABLE, INC.; UNITED  
16 PARCEL SERVICE, INC.; UNITED SERVICES AUTOMOBILE  
ASSOCIATION; AND PURPOSE SOLUTIONS, LLC F/K/A VALUED  
17 SERVICES HOLDINGS, LLC.

18 [ADDITIONAL COUNSEL LISTED ON  
SIGNATURE PAGE]

20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA  
22 SAN JOSE DIVISION

23 DONGXIAO YUE,

24 Plaintiff,

25 v.

26 21ST CENTURY INSURANCE, a Delaware  
corporation; ACCENTURE PLC, a company;  
27 AMERICAN INTERNATIONAL GROUP, INC., a  
Delaware corporation; CAPITAL ONE FINANCIAL  
28

Case No. 10-cv-3634-JW (PSG)

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING HEARING  
DATE ON MOTIONS TO DISMISS  
(DKT. NOS. 95 & 100) AND  
SETTING BRIEFING SCHEDULE**

1 CORP., a Delaware corporation; CITICORP CREDIT  
2 SERVICES, INC. (USA), a Delaware corporation;  
3 CANADIAN IMPERIAL BANK OF COMMERCE, a  
4 Canadian company; COX COMMUNICATIONS, INC.,  
5 a Delaware corporation; CVS PHARMACY, INC., a  
6 Rhode Island corporation; FAIR ISAAC  
7 CORPORATION, a Delaware corporation;  
8 FAIRMONT RAFFLES HOTELS INTERNATIONAL  
9 INC., a Canadian Company; FISERV, INC., a  
10 Wisconsin corporation; HCL TECHNOLOGIES  
11 LIMITED, an Indian company; INTERNATIONAL  
12 BUSINESS MACHINES CORP., a New York  
13 corporation; INSURANCE.COM, an Ohio company;  
14 JPMORGAN CHASE BANK,<sup>1</sup> a New York  
15 corporation; LLOYDS TSB BANK PLC, a British  
16 company; METAPATH SOFTWARE INTERNATIONAL  
17 INC., a Delaware corporation; NESS  
18 TECHNOLOGIES, INC., a Delaware corporation;  
19 NESS GLOBAL SERVICES, INC., a Pennsylvania  
20 corporation; PRINCIPAL FINANCIAL GROUP, INC., a  
21 Delaware corporation; PRICELINE.COM  
22 INCORPORATED, a Delaware corporation; ROGERS  
23 COMMUNICATIONS, INC., a Canadian company;  
24 ROYAL BANK OF SCOTLAND, a Scottish  
25 corporation; TATA CONSULTANCY SERVICE  
26 LIMITED, an Indian company; THOMSON REUTERS  
27 HEALTHCARE INC., a corporation; TEXAS  
28 INSTRUMENTS INC., a Delaware corporation; TIME  
WARNER CABLE INC., a Delaware corporation; T-  
MOBILE USA, INC., a Delaware Corporation;  
UNITED PARCEL SERVICE, INC., a Delaware  
corporation; UNITED SERVICES AUTOMOBILE  
ASSOCIATION, a financial services company;  
VALUED SERVICES HOLDINGS, LLC, a Georgia  
limited liability company; VERISIGN INC., a  
Delaware corporation; WACHOVIA CORPORATION,  
a North Carolina corporation; WARNER MUSIC  
GROUP CORP., a Delaware corporation; and DOES  
1-500, inclusive,

Defendants.

<sup>1</sup> Despite Plaintiff's caption, JP Morgan Bank N.A. notes that it is not a New York corporation, and Rogers Communications notes that it is not incorporated. Plaintiff's amendment changed JP Morgan Chase & Co. to JP Morgan Chase Bank, Thomson Reuters Corp. to Thomson Reuters Healthcare Inc., Rogers AT&T Wireless to Rogers Communication, Inc., and Citicorp Credit Services, Inc. to Citicorp Credit Services, Inc. (USA).

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WHEREAS the Parties have agreed to conduct a mediation, currently scheduled for March 30, 2011;

WHEREAS Defendants have filed two motions to dismiss (Dkt. Nos. 95 & 100) that are currently set for hearing on March 7, 2011;

WHEREAS the Parties have conferred and believe that mediation will be more effective if the parties continue the hearing and briefing on the Motions to Dismiss, and focus their efforts on mediation;

NOW THEREFORE, IT IS STIPULATED BY THE UNDERSIGNED PARTIES that:

1. The hearing date on Defendants' Motions to Dismiss (Dkt. Nos. 95 & 100) shall be continued to May 2, 2011;
2. Plaintiff's deadline to file oppositions to those Motions to Dismiss shall be April 4, 2011;
3. Defendants' deadline to file reply briefs in support of those Motions to Dismiss shall be April 18, 2011;
4. Defendants shall not amend their Motions to Dismiss or file any further motions to dismiss during the interim.

SO STIPULATED.

1 February 11, 2011

FENWICK & WEST LLP

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By           /s/ Jedediah Wakefield          

3

Jedediah Wakefield

4

Attorneys for Defendants

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21st CENTURY INSURANCE CO., ACCENTURE  
PLC, AMERICAN INTERNATIONAL GROUP, INC.;

6

CANADIAN IMPERIAL BANK OF COMMERCE;

7

CAPITAL ONE FINANCIAL CORP.; CITICORP

8

CREDIT SERVICES, INC. (USA); COX

9

COMMUNICATIONS, INC.; CVS PHARMACY,

10

INC.; FAIR ISAAC CORP.; FAIRMONT RAFFLES

11

HOTELS INTERNATIONAL INC.; HCL

12

TECHNOLOGIES LTD.; COMPARISON MARKET

13

GROUP, INC. F/K/A INSURANCE.COM;

14

JPMORGAN CHASE BANK; LLOYDS TSB

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BANK PLC; NESS TECHNOLOGIES, INC.; NESS

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GLOBAL SERVICES, INC.; PRINCIPAL

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FINANCIAL GROUP, INC.; PRICELINE.COM

18

INC.; REGENTS PLACE LLC, A SUCCESSOR TO

19

METAPATH SOFTWARE INTERNATIONAL INC.;

20

ROGERS COMMUNICATIONS PARTNERSHIP;

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ROYAL BANK OF SCOTLAND; TATA

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CONSULTANCY SERVICES, LTD.; THOMSON

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REUTERS HEALTHCARE INC.; TIME WARNER

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CABLE, INC.; UNITED PARCEL SERVICE, INC.;

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UNITED SERVICES AUTOMOBILE

26

ASSOCIATION; AND PURPOSE SOLUTIONS,

27

LLC F/K/A VALUED SERVICES HOLDINGS,

28

LLC

[PARTIES AND ADDITIONAL COUNSEL  
LISTED ON FOLLOWING PAGES]

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February 11, 2011

QUINN EMANUEL URQUHART &  
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By \_\_\_\_\_  
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Attorneys for Defendant  
INTERNATIONAL BUSINESS MACHINES CORP.

February 11, 2011

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Attorneys for Defendants  
FISERV, INC., T-MOBILE USA, INC., AND  
VERISIGN, INC.



James Ware  
**PROPOSED ORDER**

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

Dated: February 16, 2011

By: James Ware  
Honorable James Ware

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO

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