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UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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17 BENTON P. ZWART, M.D., M.P.H. and
 18 CHRISTOPHER JONES, on behalf of
 themselves and all others similarly situated,

19 Plaintiffs,

20 v.

21 HEWLETT-PACKARD COMPANY,

22 Defendant.

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CASE NO. 10-CV-03992 JF

**STIPULATION AND [PROPOSED]
ORDER ENLARGING TIME AND
SETTING DEADLINES**

[Declaration of Samuel Liversidge filed
concurrently herewith]

[Fed. R. Civ. P. 15(3); L.R. 6-2; L.R. 7-12]

The Honorable Jeremy Fogel

1 WHEREAS, Plaintiffs Benton P. Zwart and Christopher Jones's first amended complaint was
2 dismissed with leave to amend on February 24, 2011;

3 WHEREAS, Plaintiffs filed a second amended complaint on March 16, 2011;

4 WHEREAS, the parties require additional time to fully and completely investigate and
5 evaluate the claims and allegations in Plaintiffs' second amended complaint, and therefore the parties
6 agree to the briefing schedule set forth below with respect to Hewlett-Packard's response to the
7 second amended complaint;

8 WHEREAS, the Court has scheduled a case management conference for April 8, 2011;

9 WHEREAS, the parties agree that, for the sake of convenience, the case management
10 conference should be rescheduled to fall on same date as the Court's hearing on HP's anticipated
11 motion to dismiss;

12 **THEREFORE, IT IS STIPULATED AND AGREED**, by and between Plaintiffs Benton P.
13 Zwart and Christopher Jones and Defendant HP, through their respective attorneys of record, as
14 follows:

15 1. HP shall have until **April 13, 2011** to timely file its response to the Second Amended
16 Class Action Complaint, including any motion to dismiss the Second Amended Class Action
17 Complaint.

18 2. If HP files a motion to dismiss the Second Amended Class Action Complaint, then
19 Plaintiffs' opposition to HP's motion shall be filed on or before **May 11, 2011**.

20 3. HP shall file any reply in support of a motion to dismiss the Second Amended Class
21 Action Complaint on or before **May 25, 2011**.

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1 4. The case management conference shall take place on **June 10, 2011**, the same date the
2 Court will hear argument on HP's anticipated motion to dismiss the Second Amended Class Action
3 Complaint.

4 DATED: March 21, 2011

GREEN WELLING, P.C.

6 By: /s/ Charles D. Marshall
7 Charles D. Marshall

8 Attorneys for Plaintiffs Benton P. Zwart and
9 Christopher Jones

10 DATED: March 21, 2011

GIBSON, DUNN & CRUTCHER LLP

12 By: /s/ Samuel Liversidge
13 Samuel Liversidge

14 Attorneys for Defendant Hewlett-Packard Co.

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

17 DATED: 3/23, 2011

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19 _____
20 The Hon. Judge Jeremy Fogel

1 **ATTESTATION OF CONCURRENCE IN FILING**

2 In accordance with the Northern District of California’s General Order No. 45, Section X.B, I
3 hereby attest that I have on file all holograph signatures for any signatures indicated by a
4 “conformed” signature (/s/) within this efiled document.

5 Dated: March 21, 2011

/s/ Samuel Liversidge
Samuel Liversidge
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