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15 *Attorneys for Defendant MaxBounty, Inc.*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FACEBOOK, INC., a Delaware corporation,

Plaintiff,

v.

MAXBOUNTY, INC., a Canadian corporation,

Defendant.

Case No. 5:10-cv-4712-JF (HRL)

JOINT STIPULATION TO CONTINUE RULE 16(b) SCHEDULING CONFERENCE

1 WHEREAS, on December 9, 2010, the Court set a Case Management Conference
2 for January 14, 2011 at 10:30 AM (Dkt. #20.);

3
4 WHEREAS, Defendant MaxBounty, Inc.'s ("MaxBounty") Motion to Dismiss
5 Counts I, II and III of Facebook's Complaint Pursuant to Fed.R.Civ.P. 12(b)(6) ("Motion to
6 Dismiss") is set for hearing on February 11, 2011;

7
8 WHEREAS, MaxBounty believes that the identity and scope of the claims asserted
9 in the litigation will dramatically influence the scope of discovery and any Rule 26(f)
10 conference;

11
12 WHEREAS, counsel for MaxBounty and Plaintiff Facebook, Inc. ("Facebook") have
13 conferred and Facebook is amenable to continuing the Case Management Conference until after
14 the Court has ruled on MaxBounty's Motion to Dismiss;

15
16 THEREFORE, IT IS HEREBY STIPULATED, by and between Plaintiff and
17 Defendant, through their respective undersigned counsel, subject to approval by this Honorable
18 Court, that the date for the Rule 16(b) Case Management Conference be continued until at least
19 30 days after the Court has ruled on the Motion to Dismiss on a date and time to be set by the
20 Court.

1
2 Dated: December 23, 2010

Respectfully Submitted,

3 By: /s/ John S. LeRoy

4 Thomas A. Lewry (Admitted *Pro Hac Vice*)

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5 John S. LeRoy (Admitted *Pro Hac Vice*)

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12 *Counsel for Defendant MaxBounty, Inc.*

13 Dated: December 23, 2010

14 By: /s/ Brian Hennessy

15 Brian Hennessy, State Bar No. 226721

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16 PERKINS COIE LLP

17 3150 Porter Drive

Palo Alto, California 94304

18 Tel.: 650-838-4300

Fax: 650-838-4350

19 *Council for Plaintiff Facebook Inc.*

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

23
24 Dated: _____, 2010

25 Honorable Jeremy Fogel
UNITED STATES DISTRICT COURT JUDGE

1 **General Order 45 Statement**

2 I, John S. LeRoy, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the
3 concurrence to the filing of this document has been obtained from each signatory hereto.

4
5 By: /s/ - John S. LeRoy _____
6 Thomas A. Lewry (Admitted *Pro Hac Vice*)
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8 John S. LeRoy (Admitted *Pro Hac Vice*)
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21 Date: December 23, 2010_
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