

1 GIBSON, DUNN & CRUTCHER LLP  
 2 GAIL E. LEES, SBN 90363  
 3 GLees@gibsondunn.com  
 4 S. ASHLIE BERINGER, SBN 263977  
 5 ABeringer@gibsondunn.com  
 6 JOSHUA A. JESSEN, SBN 222831  
 7 JJessen@gibsondunn.com  
 8 1881 Page Mill Road  
 9 Palo Alto, California 94304  
 10 Telephone: 650.849.5300  
 11 Facsimile: 650.849.5333

12 Attorneys for Defendants  
 13 FLURRY, INC.

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN JOSE DIVISION

17 In re iPhone Application Litigation

CASE NO. 5:10-CV-05878 LHK (PSG)

**STIPULATED AGREEMENT FOR AN  
 ORDER TO EXTEND TIME FOR  
 DEFENDANTS FLURRY, INC. AND  
 PINCH MEDIA, INC. TO ANSWER OR  
 OTHERWISE RESPOND TO FIRST  
 CONSOLIDATED CLASS ACTION  
 COMPLAINT**

The Honorable Lucy H. Koh

1 WHEREAS, Plaintiffs Jonathan Lalo, Dustin Freeman, Anthony Chiu, Daniel Rodimer and  
2 Jared Parsley (“Plaintiffs”) filed a First Consolidated Class Action Complaint (“Complaint”) on April  
3 21, 2011 (ECF No. 71);

4 WHEREAS, pursuant to the Court’s April 7, 2011 Order Regarding Case Schedule and Case  
5 Management (ECF No. 66), defendants have 30 days from the filing of the Complaint, up to and  
6 including May 23, 2011, to respond to the Complaint;

7 WHEREAS, on May 9, 2011, Plaintiffs served Defendant Flurry, Inc. (“Flurry”) with a  
8 Summons with the Complaint attached;

9 WHEREAS, the parties are discussing whether or not Plaintiffs have effected valid service of  
10 the Complaint upon Defendant Pinch Media, Inc. (“Pinch Media”), but undersigned counsel for  
11 Flurry has agreed to accept service of the Complaint on behalf of Pinch Media in the event Pinch  
12 Media has not yet been served;

13 WHEREAS, Flurry is the parent corporation of Pinch Media, and the parties are in  
14 discussions regarding whether Flurry and Pinch Media should be treated as separate entities or a  
15 single entity for purposes of this litigation;

16 WHEREAS, in light of the foregoing and the status of the litigation, including the parties’  
17 discussions regarding the treatment of Flurry and Pinch Media given the relationship between the two  
18 companies, undersigned counsel believe an extension of time for Flurry and Pinch Media to respond  
19 to the Complaint is appropriate;

20 THEREFORE, pursuant to Civil Local Rule 6-2, and subject to the approval of this Court,  
21 Plaintiffs, Flurry, and Pinch Media hereby stipulate to extend the time Flurry and Pinch Media have  
22 to answer or otherwise respond to the First Consolidated Class Action Complaint to and including  
23 June 13, 2011. The parties have not previously requested an extension of this deadline, and the  
24 requested extension will not alter the date of any other event or any other deadline already fixed by  
25 Court order. The parties are submitting a proposed order.

26 DATED: May 18, 2011

GIBSON, DUNN & CRUTCHER LLP

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28 By:           /s/ Gail E. Lees            
Gail E. Lees

