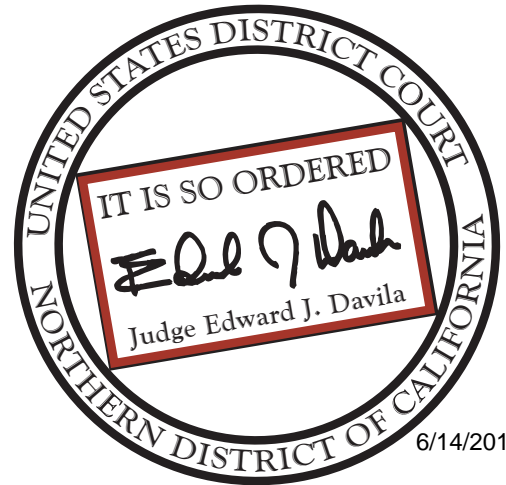


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 7 NETFLIX, INC.



8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

12 DONALD CULLEN, on behalf of himself
 13 and all others similarly situated,
 14 Plaintiff,
 15 v.
 16 NETFLIX, INC.,
 17 Defendant.

Case No. 5:11-cv-01199 EJD

**STIPULATION REGARDING
 BRIEFING SCHEDULE FOR
 MOTION TO DISMISS FIRST
 AMENDED COMPLAINT**

Hon. Edward J. Davila

Complaint Filed: April 9, 2011

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1 Pursuant to Civil Local Rule 6-1, plaintiff Donald Cullen (“Plaintiff”) and
2 defendant Netflix, Inc. (“Netflix”), through their undersigned counsel, hereby
3 stipulate as follows:

4 WHEREAS, Plaintiff filed the First Amended Complaint on April 9, 2011;

5 WHEREAS, General Order 56 automatically stayed all proceedings and
6 dates in this matter, including Defendant’s deadline to respond to the First
7 Amended Complaint;

8 WHEREAS, the Court lifted General Order 56’s automatic stay on May 24,
9 2011;

10 WHEREAS, pursuant to Federal Rule of Civil Procedure 12, Defendant’s
11 deadline to respond to the First Amended Complaint was set for June 14, 2011;

12 WHEREAS, Defendant intends to file as its response a motion to dismiss the
13 First Amended Complaint;

14 WHEREAS, the parties have agreed to the following briefing schedule for
15 Defendant’s anticipated motion to dismiss the First Amended Complaint, which
16 schedule does not alter the date of any event or any deadline already fixed by Court
17 Order (pursuant to Civil Local Rule 6-1(a));

18 NOW, THEREFORE, IT IS HEREBY STIPULATED:

19 1. Defendant’s time to serve and file its motion to dismiss the First
20 Amended Complaint shall be extended to and including June 28, 2011;

21 2. Plaintiff shall have to and including July 26, 2011, to serve and file
22 any opposition to Defendant’s motion to dismiss.

23 3. Defendant shall have to and including August 9, 2011, to serve and file
24 a reply to Plaintiff’s opposition;

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4. The Court shall hear Defendant's motion to dismiss on August 19, 2011, at 9:00 a.m., or as soon thereafter as the Court's schedule permits.

Dated: June 13, 2011 THE WESTON FIRM

By: /s/ Jack Fitzgerald
Jack Fitzgerald

Attorneys for Plaintiff
DONALD CULLEN

MORRISON & FOERSTER LLP

Dated: June 13, 2011

By: /s/ David F. McDowell
David F. McDowell

Attorneys for Defendant
NETFLIX, INC.

la-1127134