



11/16/2011

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25 ATTORNEYS FOR PLAINTIFF  
26 RICHARD NOLL

27 IN THE UNITED STATES DISTRICT COURT  
28 NORTHERN DISTRICT OF CALIFORNIA  
29 SAN JOSE DIVISION

30 RICHARD NOLL, Individually and on  
31 behalf of all others similarly situated, ) CASE NO. 5:11-CV-04585-EJD  
32 Plaintiff, )  
33 v. )  
34 EBAY INC., EBAY EUROPE S.A.R.L., ) STIPULATION TO EXTEND TIME  
35 and EBAY INTERNATIONAL AG ) FOR RESPONSE AND REPLY  
36 Defendants. ) REGARDING EBAY, INC.'S MOTION  
37 ) TO DISMISS AND REQUEST FOR  
38 ) JUDICIAL NOTICE  
39 )  
40 ) Jury Trial Demanded

41 This Stipulation is entered into pursuant to Local Rule 6-2, by and between Plaintiff  
42 Richard Noll ("Plaintiff") and Defendant eBay Inc. ("eBay") (collectively, the "Parties"), by and  
43 through the respective undersigned counsel.

WHEREAS, on October 31, 2011, eBay filed its Motion to Dismiss (Doc. 24), Request for Judicial Notice in Support of eBay’s Motion to Dismiss Plaintiff’s Complaint or, in the alternative, Strike Portions Thereof (Doc. 25), and supporting Declarations (Docs. 26, 27) (collectively, the “Motion and Supporting Materials”);

WHEREAS, Local Rule 7-3 requires a response to the foregoing materials in fourteen (14) days and a reply seven (7) days thereafter;

WHEREAS, eBay's Motion and Supporting Materials are set for hearing on March 2, 2012;

WHEREAS, under Local Rule 7-2, motions may be filed thirty-five (35) days in advance of a hearing, which in this case would be on or before January 27, 2012;

WHEREAS, the Parties are in agreement to complete the response and reply briefing in advance of what would have been the minimum time for filing of the Motion and Supporting Materials;

NOW, THEREFORE, the Parties stipulate that Plaintiff's response to the Motion and Supporting Materials shall be due on December 9, 2011; and eBay's Reply in Support of its Motion and Supporting Materials shall be due on January 16, 2012.

## IT IS SO STIPULATED.

Dated: November 10, 2011.

## FIGARI & DAVENPORT, LLP

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*/s/*  
KEITH R. VERGES  
*Attorneys for Plaintiff RICHARD NOLL*

Dated: November 10, 2011.

COOLEY LLP

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*/s/*  
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18 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

19 I, Keith R. Verges, attest that concurrence in the filing of this Stipulation has been  
20 obtained from each of the other signatories.

21  
22 /s/  
23 KEITH R. VERGES  
24 Attorneys for Plaintiff RICHARD NOLL