



11/16/2011

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11 ATTORNEYS FOR PLAINTIFF  
 12 RICHARD NOLL

13 IN THE UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN JOSE DIVISION

16 RICHARD NOLL, Individually and on  
 17 behalf of all others similarly situated, )  
 18 Plaintiff, )  
 19 v. )  
 20 EBAY INC., EBAY EUROPE S.A.R.L., )  
 21 and EBAY INTERNATIONAL AG )  
 22 Defendants. )

CASE NO. 5:11-CV-04585-EJD

**STIPULATION TO EXTEND TIME  
 FOR RESPONSE AND REPLY  
 REGARDING EBAY, INC.'S MOTION  
 TO DISMISS AND REQUEST FOR  
 JUDICIAL NOTICE**

Jury Trial Demanded

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

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

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

7 WHEREAS, eBay's Motion and Supporting Materials are set for hearing on March 2,  
8 2012;

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

11 WHEREAS, the Parties are in agreement to complete the response and reply briefing in  
12 advance of what would have been the minimum time for filing of the Motion and Supporting  
13 Materials;  
14

15 NOW, THEREFORE, the Parties stipulate that Plaintiff's response to the Motion and  
16 Supporting Materials shall be due on December 9, 2011; and eBay's Reply in Support of its  
17 Motion and Supporting Materials shall be due on January 16, 2012.  
18

19 **IT IS SO STIPULATED.**

20 Dated: November 10, 2011.

FIGARI & DAVENPORT, LLP

21 \_\_\_\_\_  
22 /s/

KEITH R. VERGES

*Attorneys for Plaintiff RICHARD NOLL*

23  
24 Dated: November 10, 2011.

COOLEY LLP

25 \_\_\_\_\_  
26 /s/

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17  
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/

KEITH R. VERGES

23 *Attorneys for Plaintiff RICHARD NOLL*