

1 KEITH R. VERGES (kverges@figdav.com)
2 PARKER D. YOUNG (parker.young@figdav.com)
3 RAYMOND E. WALKER (ray.walker@figdav.com)
4 FIGARI & DAVENPORT, L.L.P.
5 901 Main Street, Suite 3400
6 Dallas, Texas 75202
7 Tel: (214) 939-2000
8 Fax: (214) 939-2090
9 (*Pro Hac Vice Application Pending*)

7 SHAWN T. LEUTHOLD
8 (leuthold@aol.com)
9 LAW OFFICE OF SHAWN T. LEUTHOLD
10 1671 The Alameda #303
11 San Jose, California 95126
12 Tel: (408) 924-0132
13 Fax:: (408) 924-0134

VERA BROOKS
(vbrooks@thompsonbrookslaw.com)
THOMPSON & BROOKS
412 E. Madison Street, Suite 900
Tampa, Florida 33602
Tel: (813) 387-1822
Fax: (813) 387-1824
(*Pro Hac Vice Application Planned*)

12 ATTORNEYS FOR PLAINTIFF
13 RICHARD NOLL

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

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

CASE NO. 5:11-cv-04585-EJD
STIPULATION TO ENLARGE
PAGE LIMITS FOR PLAINTIFF'S
OPPOSITION TO MOTION TO DISMISS

24 Pursuant to L. R. 7.12 and 7.4(b), Plaintiff and Defendant eBay, Inc. ("eBay") file this
25 stipulation regarding the modification of page limits allowed for Plaintiff's opposition to eBay's
26
27
28

1 pending motion to dismiss [Docket no. 24]. In that regard, Plaintiff requests an enlargement of
2 the page limits for his opposition and brief in support up to 30 pages, and states:

3 **I.**
4

5 Pursuant to the parties' prior stipulation, Plaintiff's response to eBay's motion to dismiss
6 is due by December 9, 2011. [Docket no. 33.] This request is made before the due date for
7 Plaintiff's opposition pursuant to Local Rule 7.4(b).

8 Plaintiff needs additional pages to fully respond. In particular, addressing the specifics
9 relating to several web pages at issue here takes up additional space. In addition, the motion to
10 dismiss raises several distinct legal issues. Plaintiff submits that the briefing in his opposition
11 will be helpful to the Court in deciding each of the matters presented.
12

13 The cumulative effect of the space necessary to address the factual and legal contentions
14 raised by the motion is that Plaintiff will need in excess of the 25-page limit to fully respond.
15 Plaintiff also notes that the Local Rules afford Defendant a total of 40 pages (25 in the motion
16 and 15 in the reply) for presenting its position. Plaintiff seeks 5 additional pages.
17

18 **II.**

19 Accordingly, Plaintiff and eBay stipulate and request that the page limits for Plaintiff's
20 opposition be enlarged to 30 pages.

21 AGREED:

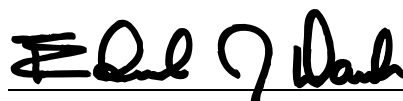
22 By: /s/ Raymond E. Walker
23 Keith R. Verges
24 Parker D. Young
Raymond E. Walker

By: /s/ Whitty Somvichian
John C. Dwyer
Whitty Somvichian
James M. Penning
Kara C. Wilson

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: December 9, 2011



United States District Judge

FILERS ATTESTATION:

Pursuant to General Order No. 45, 5X(B) regarding signatures, I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from its signatories.

Dated: December 8, 2011

By: /s/ Raymond E. Walker
Raymond E. Walker

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record will be served with a copy of this document via the Court's CM/ECF system pursuant to the local rules of this Court, on this 8th day of December, 2011.

/s/ Raymond E. Walker
Raymond E. Walker