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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 AND [PROPOSED] ORDER
 EXTENDING TIME FOR PLAINTIFF TO
 RESPOND TO MOTION TO DISMISS BY
 EBAY EUROPE S.A.R.L. AND EBAY
 INTERNATIONAL AG AND REPLY**

Date: March 2, 2012
 Time: 10:00 a.m.
 Judge: Hon. Edward J. Davila
 Courtroom: 1, 5th Floor
 Trial Date: Not yet set

25 This Stipulation is entered into pursuant to Local Rules 6-2 and 7-12, by and between
 26 Plaintiff Richard Noll (“Plaintiff”) and Defendants eBay Europe S.A.R.L. (“eBay Europe”) and
 27

1 eBay International AG (“eBay International”) (collectively, the “Parties”), by and through their
2 respective counsel.

3 WHEREAS, Plaintiff filed his Complaint in the above-entitled action in the United States
4 District Court for the Northern District of California on September 15, 2011;

5 WHEREAS, eBay Europe and eBay International are both international entities that were
6 served using the applicable service procedures set forth in the Hague Convention on the Service
7 Abroad of Judicial and Extra-Judicial documents in Civil and Commercial Matters;

8 WHEREAS, the Parties previously stipulated to an extension for eBay Europe and eBay
9 International to answer or otherwise respond to the Complaint, until December 16, 2011, and
10 agreed to set a hearing on any motion to dismiss for March 2, 2012;

11 WHEREAS, on December 16, 2011, eBay Europe and eBay International filed their
12 Motion to Dismiss Complaint (Doc. 40) (the “Motion to Dismiss”);

13 WHEREAS, under Civil Local Rule 6-2, parties may stipulate in writing to request an
14 extension of the time within which to respond to the Motion to Dismiss and for Defendants to
15 file a reply thereto;

16 WHEREAS, various counsel for Plaintiff are on pre-planned vacations during the 14-day
17 response period and seek a one-week extension of the response deadline, until January 6, 2012,
18 and counsel for eBay Europe and eBay International have requested a like extension to their
19 reply deadline to accommodate their docket, until January 20, 2012;

20 WHEREAS, extending the date for Plaintiff to respond to the Motion to Dismiss and for
21 eBay Europe and eBay International to file a reply thereto as set forth below will not alter the
22 date of any event or deadline already fixed by Court order;

1 NOW THEREFORE, the Parties agree and request Plaintiff's deadline to respond to the
2 Motion to Dismiss be extended until January 6, 2012, and that the deadline to file a reply thereto
3 be extended to January 20, 2012;

4 AGREED:

5 By: /s/ Raymond E. Walker
6 Keith R. Verges
7 Parker D. Young
8 Raymond E. Walker

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

9
10 PURSUANT TO STIPULATION IT IS SO ORDERED:

11
12 Dated: December 28, 2011


13
14 UNITED STATES DISTRICT JUDGE

15 FILERS ATTESTATION:

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

18 Dated: December 22, 2011

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

19
20
21 **CERTIFICATE OF SERVICE**

22 I hereby certify that all counsel of record will be served with a copy of this document via
23 the Court's CM/ECF system pursuant to the local rules of this Court, on this 22nd day of
24 December, 2011.

25 /s/ Raymond E. Walker
26 Raymond E. Walker