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Attorneys for Defendants
SAMSUNG ELECTRONICS AMERICA, INC. and
SAMSUNG TELECOMMUNICATIONS AMERICA, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

COLLEEN FISCHER, a Wisconsin resident; KURT FAIRFIELD, a Wisconsin resident; HARRY SARAFIAN, a California resident; DAVID WILLIAMS, a California resident; STEPHANIE WIRTH, a California resident; JOHN SWAFFORD, a Florida resident; LUKE SZULCZEWSKI, an Illinois resident; RICHARD ROSENFELD, a Kentucky resident; MICHAEL ZEMARTIS, a New Jersey resident; TIMOTHY DODSON, a Texas resident; EVAN BROOKS, a Washington resident; MARCUS NEAL, a Washington resident; BRIAN SANDSTROM, a Washington resident; JOHN WOODS, a Washington resident; LEONARD HOBBS, a Nevada resident; and KENNETH TISHENKEL, an Ohio resident, on behalf of themselves and all others similarly situated,

Plaintiffs,

vs.

CARRIER IQ, INC., a Delaware corporation; LG ELECTRONICS, INC., a Korean company; LG ELECTRONICS MOBILECOMM U.S.A., INC., a California Corporation; HTC CORPORATION, a Taiwanese company;

CASE NO. 5:11-CV-06199-RMW

STIPULATION RE CONTINUANCE OF TIME FOR DEFENDANTS TO RESPOND TO COMPLAINT AND [] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT

HTC AMERICA, INC., a Washington corporation; SAMSUNG ELECTRONICS CO., LTD., a Korean company; SAMSUNG ELECTRONICS AMERICA, INC., a New York corporation; and SAMSUNG TELECOMMUNICATIONS AMERICA, INC., a Delaware corporation,

Defendants.

WHEREAS the above-referenced plaintiffs filed the above-captioned case;

WHEREAS the above-referenced plaintiffs allege violations of the Federal Wiretap Act and other laws by the defendants in this case;

WHEREAS, there have been no other modifications to the time to answer, move or otherwise respond to the complaint in this action with respect to claims asserted against defendants Samsung Electronics America, Inc. and Samsung Telecommunications America, LLC[1] (the "Samsung Defendants");

WHEREAS, pursuant to an ADR Scheduling Order dated December 9, 2011, the Initial Case Management Conference in the above-captioned action is scheduled for March 6, 2012;

WHEREAS, over 50 other complaints have been filed to-date in federal district courts throughout the United States by plaintiffs purporting to bring class actions on behalf of cellular telephone and other device users on whose devices software made by defendant Carrier IQ, Inc. is or has been embedded (collectively, including the above-captioned matter, the "CIQ cases");

WHEREAS, a motion is pending before the Judicial Panel on Multidistrict Litigation to transfer the CIQ cases to this jurisdiction for coordinated and consolidated pretrial proceedings pursuant to 28 U.S.C. Sec. 1407, and responses to the motion supporting coordination or consolidation have been filed;

WHEREAS plaintiffs anticipate the possibility of one or more consolidated amended complaints in the CIQ cases;

WHEREAS plaintiffs and the Samsung Defendants have agreed that an orderly schedule for any response to the pleadings in the CIQ cases would be more efficient for the parties and for the Court;

WHEREAS plaintiffs agree that the deadline for the Samsung Defendants to answer, move, or otherwise respond to their complaint shall be extended until the earliest of the

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[1] Samsung Telecommunications America, LLC was erroneously sued as Samsung Telecommunications America, Inc.

following dates: (1) forty-five days after the filing of a consolidated amended complaint in the CIQ cases; or (2) forty-five days after plaintiffs provide written notice to defendants that plaintiffs do not intend to file a consolidated amended complaint; or (3) as otherwise ordered by this Court or the MDL transferee court; provided, however, that in the event that any of the Samsung Defendants should agree to an earlier response date in any of these cases, that Samsung Defendant will respond to the complaint in the above-captioned action on that earlier date;

WHEREAS plaintiffs further agree that this extension is available, without further stipulation with counsel for plaintiffs, to all named defendants who notify plaintiffs in writing of their intention to join this Stipulation;

WHEREAS this Stipulation does not constitute a waiver by the Samsung Defendants of any defense, including but not limited to the defenses of lack of personal jurisdiction, subject matter jurisdiction, improper venue, sufficiency of process, or service of process;

WHEREAS, with respect to any defendant joining the Stipulation, this Stipulation does not constitute a waiver of any defense, including but not limited to the defenses of lack of personal jurisdiction, subject matter jurisdiction, improper venue, sufficiency of process, or service of process; and

WHEREAS, plaintiffs and the Samsung Defendants, as well as any defendant joining this Stipulation, agree that preservation of evidence in the CIQ cases is vital, that defendants have received litigation hold letters, that they are complying with and will continue to comply with all of their evidence preservation obligations under governing law, and that the delay brought about by this Stipulation should not result in the loss of any evidence.

Now, therefore, pursuant to Civil Local Rule 7-12, plaintiffs in the above-referenced case and the Samsung Defendants, by and through their respective counsel of record, hereby stipulate as follows:

1. The deadline for the Samsung Defendants to answer, move, or otherwise respond to plaintiffs' complaint shall be extended until the earliest of the following dates: forty-five days after the filing of a consolidated amended complaint in these cases; or forty-five days after

plaintiffs provide written notice to the Samsung Defendants that plaintiffs do not intend to file a Consolidated Amended Complaint; or as otherwise ordered by this Court or the MDL transferee court; provided, however, that in the event that any of the Samsung Defendants should agree to an earlier response date in any of these cases, except by court order, that Samsung Defendant will respond to the complaint in the above-captioned case on that earlier date.

2. This extension is available, without further stipulation with counsel for plaintiffs, to all named defendants who notify plaintiffs in writing of their intention to join this Stipulation.

3. This Stipulation does not constitute a waiver by the Samsung Defendants or any other named defendant joining the Stipulation of any defense, including but not limited to the defenses of lack of personal jurisdiction, subject matter jurisdiction, improper venue, sufficiency of process, or service of process.

4. As a condition of entry into this Stipulation, the Samsung Defendants and any other defendant(s) joining this Stipulation, and the plaintiffs, agree that they are complying with and will continue to comply with all evidentiary preservation obligations under governing law.

IT IS SO STIPULATED.

DATED: January 11, 2012

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ *Thomas E. Loeser*

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SAMSUNG ELECTRONICS AMERICA, INC. and
SAMSUNG TELECOMMUNICATIONS AMERICA, LLC

CERTIFICATION

I, Lance A. Etcheverry, am the ECF User whose identification and password are being used to file this **STIPULATION RE CONTINUANCE OF TIME FOR DEFENDANTS TO RESPOND TO COMPLAINT AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT**. In compliance with General Order 45.X.B, I hereby attest that Thomas Loeser has concurred in this filing.

DATED: January 11, 2012

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: /s/ *Lance A. Etcheverry*
Lance A. Etcheverry

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Attorneys for Defendants
SAMSUNG ELECTRONICS AMERICA, INC. and
SAMSUNG TELECOMMUNICATIONS AMERICA, LLC

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 1/24, 2012

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
IT IS SO ORDERED
Lucy H. Koh
Judge Lucy H. Koh

By: for
Hon. Ronald M. Whyte
UNITED STATES DISTRICT JUDGE