

1 COOLEY LLP
 2 MICHAEL G. RHODES (116127) (rhodesmg@cooley.com)
 3 WHITTY SOMVICHIAN (194463) (wsomvichian@cooley.com)
 4 RAY A. SARDO (245421) (rsardo@cooley.com)
 5 101 California Street, 5th Floor
 San Francisco, CA 94111-5800
 Telephone: (415) 693-2000
 Facsimile: (415) 693-2222

6 Attorneys for Defendant
 7 GOOGLE INC.

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN JOSE DIVISION

12
 13 BRAD SCOTT and TODD HARRINGTON,
 14 individually and on Behalf of those similarly
 situated,

15 Plaintiffs,

16 v.

17 GOOGLE, INC.,

18 Defendant.

Case No. 12-cv-03413 LHK

**STIPULATION AND [~~PROPOSED~~] ORDER
 TO EXTEND PAGE LIMITS OF GOOGLE
 INC.’S REPLY IN SUPPORT OF ITS
 MOTION TO DISMISS FIRST AMENDED
 COMPLAINT FOR DECLARATORY RELIEF,
 EQUITABLE RELIEF, AND FOR DAMAGES**

19
 20 This Stipulation is entered into by and among plaintiffs Brad Scott and Todd Harrington
 21 (“Plaintiffs”) and defendant Google Inc. (“Google”) (collectively “the Parties”), by and through
 22 their respective counsel.

23 WHEREAS, Google filed a Motion to Dismiss Plaintiffs’ First Amended Class Action
 24 Complaint for Declaratory Relief, Equitable Relief, and for Damages (“Motion”) on October 10,
 25 2012 (ECF No. 42);

26 WHEREAS, Plaintiffs filed their Opposition to Google’s Motion to Dismiss on
 27 November 7, 2012 (ECF No. 47);

28 ///

1 WHEREAS, pursuant to this Court's Order (ECF No. 38), the deadline for Google to file
2 its Reply in support of the Motion is November 21, 2012;

3 WHEREAS, Google's Motion is scheduled for hearing on March 21, 2013;

4 WHEREAS, under Civil Local Rules 7-3(c) and 7-4(b), a reply brief or memorandum
5 may not exceed 15 pages of text unless the Court expressly orders otherwise pursuant to a party's
6 request;

7 WHEREAS, under Civil Local Rule 7-11, a party may request permission to file a Reply
8 brief in excess of the normal page limits by way of administrative motion;

9 WHEREAS, under Civil Local Rule 7-11, any such administrative motion must be
10 accompanied by a proposed order and by either a stipulation under Civil L.R. 7-12 or by a
11 declaration that explains why a stipulation could not be obtained;

12 WHEREAS, the pending Motion raises issues of choice of law and statutory construction
13 that (from Google's perspective) cannot be adequately briefed within the normal page limits for a
14 Reply brief;

15 WHEREAS, for these reasons, Google is seeking permission to extend the page limits for
16 its Reply by five pages (to a total of 20 pages);

17 WHEREAS, Google has met and conferred with Plaintiffs regarding this request, and
18 Plaintiffs do not oppose the request;

19 WHEREAS, extending the page limits for Google's Reply will not alter the date of any
20 event or deadline already fixed by Court order;

21 NOW, THEREFORE, the Parties hereby stipulate and agree to extend the page limits for
22 Google's Reply by five pages (to a total of 20 pages).

23 **IT IS SO STIPULATED.**

1 Dated: November 16, 2012

COOLEY LLP
MICHAEL G. RHODES (116127)
WHITTY SOMVICHIAN (194463)
RAY A. SARDO (245421)

2

3

4

5

/s/ Ray A. Sardo

Ray A. Sardo (SBN 245421)
Attorneys for Defendant
GOOGLE INC.

6

7

8 Dated: November 16, 2012

CLAYEO C. ARNOLD (SBN 65070)
CLIFFORD LEE CARTER (SBN 149621)
KIRK J. WOLDEN (SBN 138902)

9

10

11

/s/ Kirk J. Wolden

Kirk J. Wolden (SBN 138902)
Attorneys for Plaintiffs
BRAD SCOTT and TODD HARRINGTON

12

13

14

15

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

16

Pursuant to Civil Local Rule 5-1(i)(3), I, Ray Sardo, attest that concurrence in the filing of
17 this document has been obtained from each of the other signatories.

18

19

20 Dated: November 16, 2012

/s/ Ray A. Sardo

Ray Sardo

21

22

23

24

25

26

27

28

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 ORDERED THAT:

Pursuant to Civil Local Rule 7-11, the page limitation for Google’s Reply in support of its Motion to Dismiss Plaintiffs’ First Amended Class Action Complaint for Declaratory Relief, Equitable Relief, and for Damages shall be extended by five pages (to a total of 20 pages).

Dated:

