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12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **SAN JOSE DIVISION**

16 LUIS ROSADO, individually, and on
 17 behalf of other members of the
 general public similarly situated,

18 Plaintiff,

19 vs.

20 EBAY, INC., a Delaware
 21 corporation,

22 Defendant.

Case No.: 5:12-CV-04005-EJD

Hon. Judge Edward J. Davila
 Courtroom 4

**[PROPOSED] ORDER RE JOINT
 STIPULATION TO AMEND
 PLAINTIFF'S COMPLAINT**

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ORDER

The Court has read and considered the Parties' Stipulation to Amend Plaintiff's Complaint.

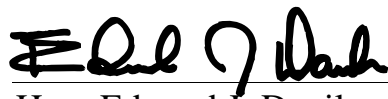
Based on the foregoing stipulation, IT IS HEREBY ORDERED that Plaintiff will file his amended complaint on or before December 28, 2012 and will provide a true and correct copy of the amended complaint to Defendant on or before December 26, 2012. Defendant will file a response to Plaintiff's First Amended Complaint by January 31, 2013, and may seek further relief if it determines that the amended complaint raises issues requiring additional time to respond.

The February 8, 2013 hearing date for Defendant's Motion to Dismiss is hereby vacated. All discovery in this matter will be stayed until the Court has issued a ruling for Defendant's Motion to Dismiss with respect to Plaintiff's First Amended Complaint. In the event Defendant does not file a Motion to Dismiss, the discovery stay will be lifted on January 31, 2013.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Clerk shall terminate Docket Item. No. 20.

DATED: December 17, 2012



Hon. Edward J. Davila
United States District Court