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6 Attorneys for Defendant  
 7 McAfee, INC.

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

12 JENNIFER BILODEAU,  
 13 Plaintiff,

14 v.

15 McAfee, INC., and CAPITAL  
 16 INTELLECT, INC.,  
 17 Defendants.

Case No. CV 12-04589 LHK

**STIPULATION AND ~~PROPOSED~~  
 ORDER RE BRIEFING SCHEDULE RE  
 McAfee, INC.'S MOTION TO DISMISS  
 COMPLAINT  
 [U.S. Const. art. III, Fed. R. Civ. P. 9(b),  
 12(b)(6)]**

Date: March 28, 2013  
 Time: 1:30 p.m.  
 Courtroom: 8

Complaint filed: August 31, 2012  
 Trial date: None set  
 Judge: Hon. Lucy H. Koh

22 WHEREAS defendant McAfee, Inc. ("McAfee") filed a Motion to Dismiss  
 23 Complaint on November 9, 2012, setting the hearing on the Court's earliest available hearing date  
 24 of March 28, 2013; and

25 WHEREAS the parties believe that additional time beyond that allowed in the  
 26 Local Rules to address the arguments in the Motion would assist the parties and the Court;

27 WHEREAS the parties therefore have agreed on a briefing schedule for the  
 28 Motion.

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NOW THEREFORE, PLAINTIFF AND McAFEE, BY AND THROUGH THEIR  
COUNSEL hereby stipulate as follows:

Plaintiff's opposition to the Motion shall be filed and served on or before January  
8, 2013.

Plaintiff's reply in support of the Motion shall be filed and served on or before  
February 5, 2013.

SO STIPULATED.

Dated: November 12, 2012 STEIN & LUBIN LLP

By: /s/ Daniel K. Slaughter  
Daniel K. Slaughter  
Attorneys for Defendant  
McAFEE, INC.

Dated: November 12, 2012 EDELSON MCGUIRE, LLC

By: /s/ Benjamin H. Richman  
Benjamin H. Richman  
Attorneys for Plaintiff  
JENNIFER BILODEAU

**PURSUANT TO STIPULATION IT IS SO ORDERED**

Dated: 11/14/2012

  
The Honorable Lucy H. Koh  
United States District Court Judge

1 **CERTIFICATE SERVICE**

2 I, Sabrina A. Stewart, declare:

3 I am a citizen of the United States and employed in San Francisco County, California. I  
4 am over the age of eighteen years and not a party to the within-entitled action. My business  
5 address is Transamerica Pyramid, 600 Montgomery Street, 14th Floor, San Francisco, California  
6 94111. On November 13, 2012, I served a copy of the within document(s):

7 **STIPULATION AND [PROPOSED] ORDER RE BRIEFING SCHEDULE RE McAFEE,  
8 INC.'S MOTION TO DISMISS COMPLAINT**

9  (BY EMAIL) by transmitting via e-mail or electronic transmission the document(s)  
10 listed above to the person(s) at the e-mail address(es) set forth in the CM/ECF  
11 system.

|  |  |
|--|--|
| <p>12 Sean P. Reis<br/>13 EDELSON MCGUIRE, LLP<br/>14 30021 Tomas Street, Suite 300<br/>15 Rancho Santa Margarita, California 92688<br/>16 Email: <a href="mailto:sreis@edelson.com">sreis@edelson.com</a></p>   | <p><i>Attorneys for Plaintiff and the Putative Class</i></p> |
| <p>17 Jay Edelson<br/>18 Rafey S. Balabanian<br/>19 Benjamin H. Richman<br/>20 Chandler R. Givens<br/>21 EDELSON MCGUIRE, LLP<br/>22 350 North LaSalle Street, Suite 1300<br/>23 Chicago, Illinois 60654<br/>24 Email: <a href="mailto:jedelson@edelson.com">jedelson@edelson.com</a><br/><a href="mailto:rbalabanian@edelson.com">rbalabanian@edelson.com</a><br/><a href="mailto:brichman@edelson.com">brichman@edelson.com</a><br/><a href="mailto:cgivens@edelson.com">cgivens@edelson.com</a></p> | <p><i>Attorneys for Plaintiff and the Putative Class</i></p> |

25 I declare that I am employed in the office of a member of the bar of this court at whose  
26 direction the service was made.

27 Executed on November 13, 2012, at San Francisco, California.

28 /S/ SABRINA STEWART

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SABRINA STEWART