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14 **Attorneys for Defendant**  
 15 **YAHOO! INC.**

16 **UNITED STATES DISTRICT COURT**  
 17 **NORTHERN DISTRICT OF CALIFORNIA**  
 18 **SAN JOSE DIVISION**

19 ELIZABETH MCINNISH, on behalf of )  
 20 herself and all others similarly situated, )

21 Plaintiff, )

22 v. )

23 YAHOO! Inc., )

24 Defendant. )

Case No. 5:12-cv-05173 LHK

**[PROPOSED] ORDER TO MODIFY  
 BRIEFING SCHEDULE AND  
 CONTINUE CASE MANAGEMENT  
 CONFERENCE**

Judge: Hon. Judge Lucy H. Koh

25 WHEREAS, Defendant Yahoo! filed a motion to dismiss which is scheduled for hearing on  
 26 May 9, 2013;

27 WHEREAS, the parties wish to modify the briefing schedule on that motion and, for the sake  
 28 of efficiency, wish to continue the February 27, 2013 Case Management Conference and related  
 papers until after the motion to dismiss is heard on May 9, 2013;

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1 WHEREAS, the parties therefore request that the Court continue the February 27, 2013 Case  
2 Management Conference and modify the briefing schedule on the motion to dismiss as set forth  
3 below;

4 IT IS HEREBY STIPULATED, by and between the parties' counsel hereto, subject to  
5 approval by the Court, as follows:

- 6 1. Plaintiff's Opposition papers to the Motion to dismiss will be filed and served on  
7 March 8, 2013;
- 8 2. Defendant's Reply brief will be filed and served on April 8, 2013;
- 9 3. The Case Management Conference scheduled for February 27, 2013, shall be continued  
10 to May 9, 2013 at 1:30 p.m.;
- 11 4. The parties will file their Joint Case Management Statement on or before  
12 April 25, 2013.

13  
14 Dated: January 16, 2013

**Law Office of Joshua A. Millican, P.C.**

15  
16 /s/ Joshua A. Millican  
17 Joshua A. Millican (*pro hac vice*)  
18 Attorneys for Plaintiff

19 Dated: January 16, 2013

**ZWILLGEN LAW LLP**

20  
21 /s/ Michele D. Floyd  
22 Attorneys for Defendant Yahoo! Inc.

23  
24 **IT IS SO ORDERED.**

25  
26 Dated: January 22, 2013

27   
28 Judge of the United States District Court

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on January 16, 2013, I electronically filed the foregoing **[PROPOSED]**  
3 **ORDER TO MODIFY BRIEFING SCHEDULE AND CONTINUE CASE MANAGEMENT**  
4 **CONFERENCE** with the Clerk of the Court using the CM/ECF system, which sent notification of  
5 such filing to the following:  
6

7  
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14 **Attorneys for Plaintiff**

15  
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