

1 Jeffrey L. Anderson (SBN 157982)
 2 janderson.law30@yahoo.com
 3 1500 7th Street
 4 Apt. 12G
 Sacramento, CA 95814
 Telephone: (916) 397-8418

5 Joshua A. Millican (*admitted pro hac vice*)
 6 joshua.millican@lawofficepc.com
 7 LAW OFFICE OF JOSHUA A. MILLICAN, P.C.
 8 44 Broad Street NW, Suite 607
 Atlanta, GA 30303
 Telephone: (404) 522-1152

9 **Attorneys for Plaintiff**
 10 ELIZABETH MCINNISH

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

14 ELIZABETH MCINNISH, on behalf of)
 15 herself and all others similarly situated,)
 16 Plaintiff,)

Case No. 5:12-cv-05173 LHK

**STIPULATED [~~PROPOSED~~] ORDER TO
 MODIFY BRIEFING SCHEDULE**

17 v.)
 18)
 19)

Judge: Hon. Judge Lucy H. Koh

20 YAHOO! Inc.,)

21 Defendant.)

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

24 WHEREAS, the parties wish to modify the briefing schedule on that motion to discuss a
 25 possible resolution of this case;

26 WHEREAS, this Court previously modified the briefing schedule at the request of the parties
 27 in an Order dated January 22, 2013, (Dkt. 16);
 28

1 WHEREAS, the requested time modification will have no effect on the schedule for the case;
2 WHEREAS the parties therefore request that the Court modify the briefing schedule on the
3 motion to dismiss as set forth 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 22, 2013;
- 8 2. Defendant's Reply brief will be filed and served on April 22, 2013;
- 9 3. The hearing on the Motion to Dismiss shall remain scheduled for May 9, 2013 at 1:30
10 p.m.
- 11 4. The Case Management Conference shall remain scheduled for May 9, 2013 at 1:30
12 p.m.;
- 13 5. The parties will still file their Joint Case Management Statement on or before
14 April 25, 2013.

15
16 Dated: March 2, 2013

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

17 /s/ Joshua A. Millican
18 Joshua A. Millican (*admitted pro hac vice*)
19 Attorney for Plaintiff

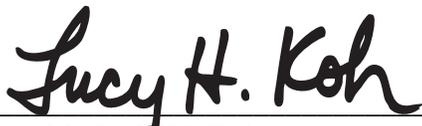
20 Dated: March 2, 2013

ZWILLGEN PLLC

21 /s/ Marc J. Zwillinger
22 Marc J. Zwillinger (*admitted pro hac vice*)
23 Attorneys for Defendant Yahoo! Inc.

24
25 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

26
27 Dated: 3/05/2013


28 Honorable Lucy H. Koh
Judge of the United States District Court

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on March 2, 2013, I electronically filed the foregoing **STIPULATED**
3 **[PROPOSED] ORDER TO MODIFY BRIEFING SCHEDULE** with the Clerk of the Court using
4 the CM/ECF system, which sent notification of such filing to the following:

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6
7 Michele Floyd (SBN 163031)
8 michele@zwillgen.com
9 ZWILLGEN LAW LLP
10 915 Battery Street, Second Floor
11 Suite 3
12 San Francisco, CA 94111
13 Telephone: (415) 590-2340

Marc J. Zwillinger
Marc@zwillgen.com
ZWILLGEN PLLC
1705 N. St. NW
Washington, DC 20036
Telephone: (202) 296-3585

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Attorneys for Defendant

By: /s/ Joshua A. Millican _____
Joshua A. Millican (*admitted pro hac vice*)
joshua.millican@lawofficepc.com
LAW OFFICE OF JOSHUA A. MILLICAN, P.C.
44 Broad Street NW, Suite 607
Atlanta, GA 30303
Telephone no.: (404) 522-1152
Attorney for Plaintiff, Elizabeth McInnish