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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;

25 WHEREAS, the requested modification to the briefing schedule will have no effect on the  
 26 hearing date for the motion to dismiss or the Case Management Conference, also scheduled for May  
 27 9, 2013;

1 WHEREAS, this Court has previously modified the briefing schedule only once at the request  
2 of the parties in an Order dated January 22, 2013, (Dkt. 16) and once thereafter with no effect on the  
3 hearing date for the motion to dismiss or the Case Management Conference in an Order dated March  
4 5, 2013, (Dkt. 18);

5 WHEREAS the parties therefore request that the Court modify the briefing schedule on the  
6 motion to dismiss as set forth below:

7 IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel  
8 and subject to approval by the Court, as follows:

- 9 1. Plaintiff's Opposition papers to the Motion to Dismiss will be filed and served on April  
10 5, 2013;
- 11 2. Defendant's Reply brief will be filed and served on April 26, 2013;
- 12 3. The hearing on the Motion to Dismiss shall remain scheduled for May 9, 2013 at 1:30  
13 p.m.
- 14 4. The Case Management Conference shall remain scheduled for May 9, 2013 at 1:30  
15 p.m.;
- 16 5. The parties will still file their Joint Case Management Statement on or before  
17 April 25, 2013.

18  
19 Dated: March 19, 2013

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

20 /s/ Joshua A. Millican  
21 Joshua A. Millican (*admitted pro hac vice*)  
22 Attorney for Plaintiff

23 Dated: March 19, 2013

**ZWILLGEN LAW LLP**

24 /s/ Michele Floyd  
25 Michele Floyd (SBN 163031)  
26 Attorneys for Defendant Yahoo! Inc.  
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**ORDER**

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

Dated: 3/22/2013

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



1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on March 19, 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  
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