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5 Attorneys for Defendants
 6 SKYPE INC. and MICROSOFT CORPORATION

7 IN THE UNITED STATES DISTRICT COURT
 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 9 SAN JOSE DIVISION

DAVIS WRIGHT TREMAINE LLP

10 CANTON BECKER, JOSEPHINE)
 11 ASPLUND, and DARRIN WESLEY,)
 12 individually and on behalf of all others)
 similarly situated,)

13 Plaintiff,)

14 v.)

15 SKYPE INC., a Delaware Corporation;)
 16 MICROSOFT CORPORATION, and DOES)
 1-20,)

17 Defendants.)

Case No. C-12-06477 EJD

**STIPULATION AND [PROPOSED]
 ORDER TO SET CASE
 MANAGEMENT CONFERENCE
 CONCURRENTLY WITH HEARING
 ON DEFENDANTS' MOTION TO
 DISMISS PLAINTIFF CANTON
 BECKER**

1 This Stipulation is entered by and between plaintiffs Canton Becker, Josephine
2 Asplund, and Darrin Wesley (“Plaintiffs”), on the one hand, and defendants Skype Inc. and
3 Microsoft Corporation (“Defendants”), on the other hand, with reference to the following
4 facts:

5 1. On December 21, 2012, the Court issued an ADR Scheduling Order setting a
6 Case Management Conference in this matter on April 2, 2013;

7 2. On January 23, 2013, the Court continued the Case Management Conference
8 to May 3, 2013, the day of the hearing on Plaintiffs’ Motion to Remand, which Plaintiffs
9 filed on January 18, 2013;

10 3. On January 29, 2013, Defendants filed a Motion to Dismiss the Second,
11 Fifth, and Sixth Claims for Relief of Plaintiffs’ Amended Class Action Complaint for
12 Damages, which was set for hearing on May 3, 2013;

13 4. On April 30, 2013, the Court issued a Notice Taking Motions Under
14 Submission Without Oral Argument and Vacating Case Management Conference, noting
15 that it would “set further dates, if necessary, in its Order on the submitted motions”;

16 5. To date, the Case Management Conference has not been rescheduled; and

17 6. On May 9, 2013, Defendants filed a Motion to Dismiss Plaintiff Canton
18 Becker’s Claims (“Becker Dismissal Motion”), which is set for hearing on October 4, 2013
19 at 9:00 a.m. in Courtroom 4.

20 NOW, THEREFORE, IT IS HEREBY STIPULATED AND JOINTLY
21 REQUESTED that this Court reschedule the Case Management Conference in this matter
22 for October 4, 2013 to immediately follow the hearing on the Becker Dismissal Motion,
23 which is set for the same date at 9:00 a.m.

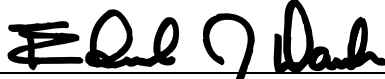
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PURSUANT TO STIPULATION, IT IS SO ORDERED.
On or before September 27, 2013, the parties shall file a joint case management conference statement.

DATED: 9/13/2013


Hon. Edward J. Davila
U.S. District Court Judge
Northern District of California