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

14 In re: Facebook Internet Tracking Litigation

Case No. 12-md-02314 EJD

**STIPULATION AND [~~PROPOSED~~] ORDER
 CONCERNING BRIEFING SCHEDULE AND
 PAGE LIMITS FOR FACEBOOK’S MOTION
 TO DISMISS (CIV. L.R. 6-2 & 7-4(b))**

JUDGE: Edward J. Davila
COURTROOM: 4
TRIAL DATE: Not Yet Set

21 Plaintiffs Perrin Davis, Cynthia Quinn, Brian Lentz, and Matthew Vickery (collectively,
 22 “Plaintiffs”) and Defendant Facebook, Inc. (“Facebook”) (Plaintiffs and Facebook collectively,
 23 the “Parties”) by and through their respective counsel, hereby make a stipulated request for an
 24 Order concerning the briefing schedule and page limits for Facebook’s anticipated motion to
 25 dismiss Plaintiffs’ Corrected First Amended Consolidated Class Action Complaint. This
 26 stipulated request is made pursuant to Federal Rule of Civil Procedure 6(b)(1) and Civil Local
 27 Rules 6-2 and 7-4(b) and is supported by the concurrently filed Declaration of Jeffrey M. Gutkin.
 28

1 WHEREAS, on February 8, 2012, the Panel on Multidistrict Litigation issued an order
2 transferring actions filed across the United States to this Court under the caption above for
3 coordinated or consolidated proceedings pursuant to 28 U.S.C. § 1407;

4 WHEREAS, on April 3, 2012, the Court ordered that Plaintiffs file a consolidated
5 amended complaint no later than 45 days from the date upon which the order was filed, which
6 was May 18, 2012;

7 WHEREAS, the Court also ordered that Facebook's answer or responsive motion be filed
8 no later than 90 days from the date upon which the order was filed, which is July 2, 2012;

9 WHEREAS Plaintiffs filed their First Amended Consolidated Class Action Complaint on
10 May 17, 2012 and their Corrected First Amended Consolidated Class Action Complaint
11 ("Complaint") on May 23, 2012;

12 WHEREAS the 43-page Complaint alleges 11 causes of action against Facebook;

13 WHEREAS Facebook anticipates filing a motion to dismiss the Complaint (the "Motion")
14 on July 2, 2012;

15 WHEREAS, pursuant to Civil Local Rule 7-3, the deadline for Plaintiffs to file their
16 opposition to the Motion would be July 16, 2012, and the deadline for Facebook to file its reply in
17 support of the Motion would be July 23, 2012;

18 WHEREAS the first date available on this Court's calendar to hear the Motion is
19 September 14, 2012, at the earliest;

20 WHEREAS there have been no previous time modifications since the Court ordered
21 consolidation of the actions, whether by stipulation or Court order;

22 WHEREAS altering the briefing schedule on the Motion will not affect the date or
23 deadline of any event or deadline already affixed by the Court; AND

24 WHEREAS the Parties believe that a modest extension of the briefing schedule and
25 enlargement of the page limits is reasonable in light of the nature of the case and the Complaint,
26 and will provide the Court with more thorough and useful briefing on the issues.

27 NOW, THEREFORE, the Parties hereby stipulate and agree as follows, subject to
28 approval and order of the Court:

- 1 1. Facebook's Motion shall not exceed 35 pages;
2 2. Plaintiffs shall file their opposition to the Motion on or before July 31, 2012, and
3 the opposition shall not exceed 35 pages; AND
4 3. Facebook shall file its reply in support of the Motion on or before August 22,
5 2012, and the reply shall not exceed 25 pages.

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Dated: June 6, 2012

COOLEY LLP

/s/ Jeffrey M. Gutkin
JEFFREY M. GUTKIN

Attorneys for Defendant FACEBOOK, INC.

Dated: June 6, 2012

BARTIMUS, FRICKLETON, ROBERTSON, &
GORN, P.C.

/s/ Edward D. Robertson, Jr.
EDWARD D. ROBERTSON, JR.

Attorneys for Plaintiffs PERRIN DAVIS,
CYNTHIA QUINN, BRIAN LENTZ, and
MATTHEW VICKERY

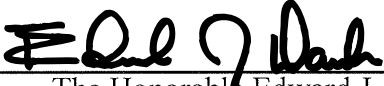
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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 18, 2012



The Honorable Edward J. Davila
UNITED STATES DISTRICT JUDGE