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14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN JOSE DIVISION

17 In re: Facebook Internet Tracking Litigation

18 Case No. 12-md-02314 EJD

19 **STIPULATION AND [PROPOSED] ORDER**  
 20 **CHANGING HEARING DATE FOR**  
 21 **DEFENDANT FACEBOOK, INC.'S MOTION**  
 22 **TO DISMISS PLAINTIFFS' CORRECTED**  
 23 **FIRST AMENDED CONSOLIDATED CLASS**  
 24 **ACTION COMPLAINT**

25 **JUDGE:** Edward J. Davila  
 26 **COURTROOM:** 4  
 27 **TRIAL DATE:** Not Set

28 Plaintiffs Perrin Davis, Cynthia Quinn, Brian Lentz, and Matthew Vickery (collectively, "Plaintiffs") and Defendant Facebook, Inc. ("Facebook") (Plaintiffs and Facebook collectively, the "Parties"), by and through their respective counsel, hereby request an Order changing the date for hearing Facebook's Motion to Dismiss Plaintiffs' Corrected First Amended Consolidated Class Action Complaint and supporting papers (Dkt. Nos. 44-47) (the "Motion").

WHEREAS Facebook's Motion is currently noticed for hearing on September 21, 2012, at 9:00 a.m.;

1           WHEREAS on June 29, 2012, the Court held a Case Management Conference in this  
2 action, wherein the Parties’ counsel informed the Court that they would confer regarding  
3 changing the hearing date for the Motion—from September 21 to September 28, October 5, or  
4 October 12—to accommodate a calendar conflict that the September 21 hearing posed for  
5 Plaintiffs’ counsel;

6           WHEREAS the Court’s minute order after the Case Management Conference stated:  
7 “The parties to submit proposed order re dates for hearing Motion to Dismiss” (Dkt. No. 43);

8           WHEREAS the Parties’ counsel have conferred and agreed to change the hearing date for  
9 the Motion from September 21, 2012, at 9:00 a.m., to October 5, 2012 at 9:00 a.m.;

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1 NOW, THEREFORE, the Parties hereby stipulate and agree as follows, subject to  
2 approval and Order of the Court:

3 Facebook's Motion is set for hearing in this Court on October 5, 2012 at 9:00 a.m.

4 Dated: July 26, 2012

COOLEY LLP

*/s/ Jeffrey M. Gutkin*

JEFFREY M. GUTKIN

Attorneys for Defendant FACEBOOK, INC.

8 Dated: July 26, 2012

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

*/s/ Edward D. Robertson, Jr.*

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**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

27 DATED: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Edward J. Davila  
UNITED STATES DISTRICT JUDGE

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**ATTESTATION**

In accordance with Northern District of California Local Rule 5-1(i)(3), I hereby attest that I have obtained concurrence in the filing of this Declaration from the signatory listed above.

*/s/ Jeffrey M. Gutkin*  
\_\_\_\_\_  
JEFFREY M. GUTKIN

**PROOF OF SERVICE**  
**(FRCP 5)**

I hereby certify that on July 26, 2012, I filed the foregoing document with the Clerk of Court using the CM/ECF system:

**Stipulation and [Proposed] Order Changing Hearing Date for Defendant Facebook, Inc.'s Motion to Dismiss Plaintiffs' Corrected First Amended Consolidated Class Action Complaint**

This document was served on all counsel who are deemed to have consented to electronic service via the CM/ECF system in this action.

This document and the notice of electronic filing were also served via U.S. Mail on the following parties:

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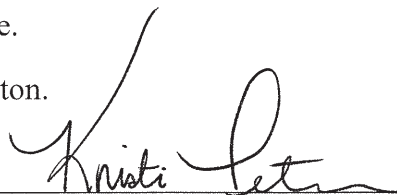
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This document and the notice of electronic filing were not served on Tracie Skiles because no current mailing address or email address is available.

Executed on July 26, 2012, at Seattle, Washington.



Kristi Peterson

2634283/ST