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12 Attorneys for Defendant
 FACEBOOK, INC.
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14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 OAKLAND DIVISION

17 MATTHEW CAMPBELL, MICHAEL
 HURLEY, and DAVID SHADPOUR,

18 Plaintiffs,
 19

20 v.

21 FACEBOOK, INC.,

22 Defendant.
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Case No. C 13-05996 PJH (MEJ)

PUTATIVE CLASS ACTION

**JOINT STIPULATION AND [PROPOSED]
 ORDER TAKING PLAINTIFFS' MOTION
 TO WITHDRAW PLAINTIFF DAVID
 SHADPOUR AND DISMISS CLAIMS
 (DKT. 96) OFF CALENDAR WITHOUT
 PREJUDICE**

Date: September 9, 2015

Time: 9:00 a.m.

Crtrm: 3, Third Floor

Judge: Honorable Phyllis J. Hamilton

1 WHEREAS, on July 13, 2015, Plaintiffs filed a motion to withdraw Plaintiff David Shadpour
2 as a named plaintiff and dismiss his claims without prejudice (Dkt. 96), and noticed that motion for a
3 hearing on September 9, 2015, at 9:00 a.m.;

4 WHEREAS, on July 27, 2015, Defendant Facebook, Inc. filed its Opposition to Plaintiffs'
5 motion to withdraw Plaintiff David Shadpour without prejudice (Dkt. 103);

6 WHEREAS, on August 3, 2015, Plaintiffs filed their Reply in support of their motion (Dkt.
7 105);

8 WHEREAS, following the filing of Facebook's Opposition, Mr. Shadpour engaged separate
9 counsel to represent him in his individual capacity and to negotiate his withdrawal from the case in
10 exchange for agreeing to sit for deposition and provide limited relevant discovery;

11 WHEREAS, Mr. Shadpour's new counsel is on vacation and traveling internationally for the
12 next week;

13 WHEREAS, the parties understand that the Court is unavailable from August 19 through
14 September 4, 2015, and they want to avoid a situation in which the Court devotes time to the Motion
15 when the parties may resolve their dispute among themselves;

16 NOW, THEREFORE, subject to the approval of the Court, the parties hereby stipulate and
17 agree as follows:

18 (1) Plaintiffs hereby agree to take their Motion (Dkt. 96) off calendar, without prejudice to
19 re-noticing the motion if the dispute is not resolved by September 8, 2015; and

20 (2) The parties agree that if they are unable to resolve their dispute by September 8, 2015,
21 Plaintiffs will re-notice the motion for the next hearing date that is available for the Court (but no
22 earlier than September 30, 2015).

23 DATED: August 14, 2015

LIEFF CABRASER HEIMANN & BERNSTEIN

24 By: _____/s/
25 MICHAEL W. SOBOL

26 Attorneys for Plaintiffs
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1 **[PROPOSED] ORDER**

2 Having considered the Parties' Stipulation, and good cause appearing, the Court hereby
3 GRANTS the Parties' stipulation. It is HEREBY ORDERED that:

4 (1) Plaintiffs' motion to withdraw Plaintiff David Shadpour as a named plaintiff and dismiss
5 his claims without prejudice (Dkt. 96) is taken off calendar, without prejudice to re-noticing the
6 motion if the dispute is not resolved by September 8, 2015; and

7 (2) If the parties are unable to resolve their dispute by September 8, 2015, Plaintiffs will re-
8 notice the motion for the next hearing date that is available for the Court (but no earlier than
9 September 30, 2015).

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

11
12 DATED: _____

The Honorable Phyllis J. Hamilton
United States District Court Judge