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12 Attorneys for Defendant
 FACEBOOK, INC.
 13

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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 26
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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
27
28

1 DATED: August 14, 2015

GIBSON, DUNN & CRUTCHER LLP

2
3 By: _____/s/_____
CHRISTOPHER CHORBA

4 Attorneys for Defendant Facebook, Inc.

5 **ATTORNEY ATTESTATION**

6 Pursuant to Civil Local Rule 5-1, I, Christopher Chorba, hereby attest that concurrence in the
7 filing of this document has been obtained from Michael W. Sobol.

8
9 DATED: August 14, 2015

GIBSON, DUNN & CRUTCHER LLP

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11 By: _____/s/_____
12 CHRISTOPHER CHORBA

13 Attorneys for Defendant Facebook, Inc.

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: August 21, 2015

13 The Honorable Phyllis J. Hamilton
14 United States District Judge

