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11 Attorneys for Defendant  
 FACEBOOK, INC.

12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 OAKLAND DIVISION

16 MATTHEW CAMPBELL and MICHAEL  
 HURLEY,

17 Plaintiffs,

18 v.

19 FACEBOOK, INC.,

20 Defendant.  
 21

CASE NO. C 13-05996 PJH

**STIPULATION AND [PROPOSED]  
 ORDER REGARDING CASE  
 SCHEDULE**

1           WHEREAS, on November 23, 2016, the Court ordered that discovery in this case be stayed,  
2 and the existing case deadlines vacated, pending an update by the parties by December 23, 2016,  
3 regarding whether a resolution of this matter had been reached (Dkt. 221);

4           WHEREAS, on December 21, 2016, the parties filed a Joint Status Report to notify the Court  
5 that the parties had reached a settlement-in-principle in this case, and intended to submit a written  
6 settlement agreement and motion for preliminary approval of the settlement on or before February 15,  
7 2017 (Dkt. 222);

8           WHEREAS, together with the Joint Status Report, the parties filed a Stipulation and  
9 [Proposed] Order Regarding the Case Schedule, stipulating that the stay of discovery and vacatur of  
10 case deadlines previously ordered in this action would remain in effect until February 15, 2017, and  
11 in the event that a written settlement agreement and motion for preliminary approval were not  
12 submitted to the Court on or before February 15, 2017, the discovery stay would be lifted, Facebook  
13 would make its document production on that date, and the new case deadlines would be as follows:  
14 non-expert discovery would be completed by March 23, 2017; experts would be disclosed by May  
15 11, 2017; and cross motions for summary judgment would be filed by May 11, 2017 (Dkt. 223);

16           WHEREAS, on December 27, 2016, the Court approved the parties' Stipulation and Proposed  
17 Order Regarding the Case Schedule (Dkt. 224);

18           WHEREAS, counsel for the parties have today executed a memorandum of understanding  
19 outlining the key terms of the settlement agreement; and

20           WHEREAS, the parties are in the process of preparing a written settlement agreement to be  
21 submitted to this Court, together with a motion for preliminary approval of the settlement, but require  
22 additional time to complete these documents and would therefore benefit from a modest, two-week  
23 extension of the February 15, 2017 deadline;

24           NOW, THEREFORE, subject to the approval of the Court, and for good cause shown, the  
25 parties hereby stipulate and agree as follows: The parties shall file a written settlement agreement  
26 and motion for preliminary approval of the settlement by March 1, 2017. The stay of discovery and  
27 vacatur of case deadlines previously ordered in this action shall remain in effect until March 1, 2017.

1 In the event that a written settlement agreement and motion for preliminary approval are not  
2 submitted to the Court on or before March 1, 2017, the discovery stay is lifted, Facebook shall make  
3 its document production on that date, and the new case deadlines shall be as follows: non-expert  
4 discovery shall be completed by April 6, 2017; experts must be disclosed by May 25, 2017; and cross  
5 motions for summary judgment shall be filed by May 25, 2017.

6 Respectfully submitted,

7 DATED: February 9, 2017

GIBSON, DUNN & CRUTCHER LLP

9 By: \_\_\_\_\_ /s/  
10 JOSHUA A. JESSEN

11 Attorneys for Defendant Facebook, Inc.

12 DATED: February 9, 2017

LIEFF CABRASER HEIMANN & BERNSTEIN

14 By: \_\_\_\_\_ /s/  
15 MICHAEL W. SOBOL

16 Attorneys for Plaintiffs

17 **ATTORNEY ATTESTATION**

18 Pursuant to Civil Local Rule 5-1, I, Joshua A. Jessen, hereby attest that concurrence in the  
19 filing of this document has been obtained from Michael W. Sobol.

20  
21 DATED: February 9, 2017

GIBSON, DUNN & CRUTCHER LLP

23 By: \_\_\_\_\_ /s/  
24 JOSHUA A. JESSEN

25 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 the parties shall file a written  
4 settlement agreement and motion for preliminary approval of the settlement by March 1, 2017. The  
5 stay of discovery and vacatur of case deadlines previously ordered in this action shall remain in effect  
6 until March 1, 2017. In the event that a written settlement agreement and motion for preliminary  
7 approval are not submitted to the Court on or before March 1, 2017, the discovery stay is lifted,  
8 Facebook shall make its document production on that date, and the new case deadlines shall be as  
9 follows: non-expert discovery shall be completed by April 6, 2017; experts must be disclosed by May  
10 25, 2017; and cross motions for summary judgment shall be filed by May 25, 2017.

11  
12 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

13  
14 DATED: 2/10/17

15 \_\_\_\_\_  
16 The Honorable Phyllis J. Hamilton  
17 United States District Judge

