

1 BINGHAM MCCUTCHEN LLP  
Brian C. Rocca (SBN 221576)  
2 brian.rocca@bingham.com  
Sujal J. Shah (SBN 215230)  
3 sujal.shah@bingham.com  
Three Embarcadero Center  
4 San Francisco, CA 94111-4067  
Telephone: 415.393.2000  
5 Facsimile: 415.393.2286

6 WILLIAMS & CONNOLLY LLP  
John E. Schmidlein (163520)  
7 jschmidlein@wc.com  
725 12th St NW  
8 Washington DC 20005-3901  
Telephone: 202.434.5901  
9 Facsimile: 202.434.5029

10 Attorneys for Defendant  
Google Inc.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION  
14

15 GARY FEITELSON, a Kentucky resident, and  
16 DANIEL MCKEE, an Iowa resident, on behalf  
of themselves and all others similarly situated,

17 Plaintiffs,

18 v.

19 GOOGLE INC., a Delaware corporation,

20 Defendant.  
21

No. 5:14-cv-02007 BLF

**STIPULATION AND ~~PROPOSED~~  
ORDER TO SET A BRIEFING  
SCHEDULE RE GOOGLE INC.'S  
RESPONSE TO THE COMPLAINT  
AND TO CONTINUE CASE  
MANAGEMENT CONFERENCE  
(LOCAL RULE 6-2)**

Judge: Hon. Beth Labson Freeman  
22 Dept. Courtroom 3, 5th Floor  
23  
24  
25  
26  
27  
28

CASE NO. 5:14-CV-02007 BLF

STIPULATION AND ~~PROPOSED~~ ORDER TO SET A BRIEFING SCHEDULE RE GOOGLE INC.'S  
RESPONSE TO THE COMPLAINT AND TO CONTINUE CASE MANAGEMENT CONFERENCE  
(LOCAL RULE 6-2)

1 Plaintiffs Gary Feitelson and Daniel McKee on behalf of themselves and all others  
2 similarly situated (“Plaintiffs”) and Defendant Google Inc. (“Google”) (together, “the Parties”)  
3 jointly submit this Stipulation and Proposed Order to set a briefing schedule in connection with  
4 Google’s forthcoming response to the Complaint, and to continue the Case Management  
5 Conference presently scheduled for July 31, 2014.

6 WHEREAS Plaintiffs filed a Complaint against Google on May 1, 2014. *See* Dkt. 1.

7 WHEREAS a Case Management Conference is presently scheduled for July 31, 2014.  
8 *See* Dkt. 7.

9 WHEREAS Google was served with the Complaint on May 5, 2014. *See* Dkt. 13.

10 WHEREAS Google intends to move to dismiss the Complaint pursuant to Federal Rule  
11 of Civil Procedure 12(b)(6), which is presently due on May 27, 2014.

12 WHEREAS there have been no previous time modifications in this case.

13 WHEREAS the Parties have met and conferred and have reached an agreement on a  
14 proposed briefing schedule and date for the Case Management Conference.

15 NOW, THEREFORE, the Parties, through their respective counsel, hereby stipulate to,  
16 and ask the Court to approve, the following:

17 1. Google shall file its motion to dismiss on or before July 11, 2014.

18 2. Plaintiffs shall file an opposition to Google’s motion to dismiss on or before  
19 August 11, 2014.

20 3. Google shall file a reply in support of its motion to dismiss on or before  
21 September 2, 2014.

22 4. Google shall notice the hearing on the motion to dismiss for October 2, 2014 at  
23 9:00 a.m.

24 5. In the interest of efficiency, the Case Management Conference currently  
25 scheduled on July 31, 2014 at 1:30 p.m. shall be continued until October 30, 2014 at 1:30 p.m.

26 //

27 //

1 IT IS SO STIPULATED.

2 DATED: May 20, 2014

3  
4 BINGHAM MCCUTCHEN LLP

5  
6 By: /s/ Brian C. Rocca  
7 Brian C. Rocca  
8 brian.rocca@bingham.com  
9 Attorneys for Defendant  
10 Google Inc.


11 DATED: May 20, 2014

12  
13 HAGENS BERMAN SOBOL SHAPIRO LLP

14 By: /s/ Steve W. Berman  
15 Steve W. Berman  
16 steve@hbsslw.com  
17 Attorneys for Plaintiffs  
18 Gary Feitelson et al.

19  
20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

21 DATED: May 21, 2014

22  
23  
24  
25  
26  
27  
28  
  
BETH LABSON FREEMAN  
United States District Judge

1 **ATTESTATION**

2 I, Brian C. Rocca, am a partner at Bingham McCutchen LLP and am counsel for Google  
3 Inc. in this matter. I am the registered ECF user whose username and password are being used to  
4 file this Stipulation and [Proposed] Order. In compliance with Civil L.R. 5-1(i)(3), I hereby  
5 attest that the above-identified counsel concurred in this filing.

6  
7 DATED: May 20, 2014

8  
9 BINGHAM MCCUTCHEN LLP

10  
11 By:  /s/ Brian C. Rocca

12 Brian C. Rocca  
13 brian.rocca@bingham.com  
14 Attorneys for Defendant  
15 Google Inc.