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5 Attorneys for Defendants

6  
 7 UNITED STATES DISTRICT COURT  
 8  
 9 NORTHERN DISTRICT OF CALIFORNIA

11 FACEBOOK, INC.,

13 Plaintiff,

Case No. 5:08-cv-05780

14 -against-

15 POWER VENTURES, INC. d/b/a POWER.COM, a  
 16 California corporation; POWER VENTURES, INC. a  
 Cayman Island Corporation, STEVE VACHANI, an  
 17 individual; DOE 1, d/b/a POWER.COM, an individual  
 and/or business entity of unknown nature; DOES 2  
 18 through 25, inclusive, individuals and/or business  
 entities of unknown nature,

20 Defendants.

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**[PROPOSED] SCHEDULING  
 ORDER PURSUANT TO  
 STIPULATION**

1 WHEREAS counsel for plaintiff, Facebook, Inc., and defendants Power Ventures, Inc.  
2 d/b/a Power.com, and Steve Vachani, have met and conferred on March 25, 2009, on the subjects  
3 of initial disclosures, early settlement, ADR process selection, and discovery plan, as required by  
4 the 12/30/08 Order Setting Initial Case Management Conference And ADR Deadlines;

5 WHEREAS defendants' motion to dismiss or, in the alternative, for a more definite  
6 statement, was filed on March 23, 2009, and set for hearing on May 8, 2009;

7 WHEREAS the pending motion extends the time for defendants to file a responsive  
8 pleading under Fed. R. Civ. P. 12(a)(4);

9 WHEREAS the parties agree that that the formulation of a discovery plan and Rule 26(f)  
10 report should take into account the complaint and the responsive pleading, to properly frame the  
11 issues in the case; and

12 WHEREAS the parties have filed a stipulation with the Court providing for an extension  
13 of time, as set forth in this Order, for the filing of a Rule 26(f) report, complete initial  
14 disclosures, the assertion of objections and the filing of Case Management Statements, and for  
15 the continuance of the initial Case Management Conference,

16 NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to the stipulation of the  
17 parties, as follows:

18 1. The deadline to file a Rule 26(f) report, complete initial disclosures or state  
19 objection in Rule 26(f) Report and file Case Management Statement is extended to 30 days after  
20 a ruling on defendants' pending motion to dismiss, or in the alternative, for a more definite  
21 statement.

22 2. The initial case management conference set for April 17, 2009 is adjourned and  
23 reset for a date approximately 45 days after a ruling on defendants' pending motion to dismiss,  
24 or in the alternative, for a more definite statement.

25 **IT IS SO ORDERED.**

26 DATE: 4/9/09

27   
28 Hon. Jeremy Fogel  
United States District Judge

