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10 *Attorneys for Plaintiff*
CHAMPION LABORATORIES, INC.

11
12 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

13 * * *

14 CHAMPION LABORATORIES, INC., a) Case No. 1:10-cv-02371 OWW DLB
15 Delaware Corporation,)
16)
Plaintiff,) **JOINT MOTION TO (1) ADJOURN**
17) **HEARING ON MOTION TO DISMISS**
v.) **AND (2) THE DATE OF SCHEDULING**
18) **CONFERENCE AND ORDER**
PARKER-HANNIFIN CORPORATION,) **THEREON**
19 including its Racor Division, and PARKER)
INTANGIBLES, LLC,)
20)
Defendants.)

21
22 WHEREAS, on July 18, 2011, Plaintiff CHAMPION LABORATORIES, INC.
23 (“Champion”) and Defendants PARKER-HANNIFIN CORPORATION, and PARKER
24 INTANGIBLES, LLC (collectively “Parker”) conducted a mediation of another action between
25 the parties pending in the Court of Appeal for the Federal Circuit;

26 WHEREAS, as part of that settlement, the Champion and Parker have also
27 tentatively resolved this action;

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1 WHEREAS, Champion and Parker are presently finalizing the settlement and
2 anticipate completing the agreement no later than September 12, 2011, and in that event shall file
3 a joint motion to dismiss this action;

4 WHEREAS, a hearing on Parker's Motion to Dismiss is currently scheduled for
5 August 22, 2011 and a Scheduling Conference is set for August 25, 2011;

6 WHEREAS, Champion's Opposition to Parker's Motion is currently due on
7 August 8, 2011 and Parker's Reply is due on August 15, 2011; and

8 WHEREAS, Champion and Parker have agreed to extend these dates in the event
9 that the parties are unable to reach a final settlement; and

10 WHEREAS, Champion and Parker request that the August 22, 2011 Hearing and
11 August 25, 2011 Scheduling Conference be continued to a later date.

12 NOW, THEREFORE, IT IS HEREBY STIPULATED, CONSENTED, AND
13 AGREED TO by and between the parties through their respective counsel, as follows:

14 (1) that the time for Champion to file its opposition to Parker's motion to dismiss
15 shall be extended until and including **September 30, 2011**; and

16 (2) That the time for Parker to file a reply to Champion's opposition shall be
17 extended until and including **October 14, 2011**.

18 (3) IT IS FURTHER STIPULATED, CONSENTED, AND AGREED TO by and
19 between the parties, that with the Court's permission, the Motion to Dismiss
20 shall be rescheduled until October 21, 2011 or as soon as it may be heard
21 thereafter by the Court and that the Scheduling Conference shall be
22 rescheduled to October 24, 2011 or as soon thereafter as it may be conducted
23 by the Court.

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1 DATED: August 4, 2011

Respectfully submitted,

2 SIERRA IP LAW, PC
Mark D. Miller
3 Marcus N. DiBuduo

BARNES & THORNBURG LLP
Brian W. Lewis
Paul Olszowka
Mark Nahnsen

4
5 By: /s/
Paul Olszowka

6 *Attorneys for Plaintiff,*
CHAMPION LABORATORIES, INC.

7 *Attorneys for Defendants*

8
9 - and -

10 CONNOLLY BOVE LODGE & HUTZ LLP

11 /s/ Francis DiGiovanni
Francis DiGiovanni (Pro Hac Vice)
12 *Attorneys for Defendants*
13 *Parker-Hannifin Corporation and*
14 *Parker Intangibles LLC*

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16 IT IS SO ORDERED.

17 Dated: August 12, 2011

/s/ Oliver W. Wanger
18 UNITED STATES DISTRICT JUDGE

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