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Vital Pharmaceuticals, Inc.

16 UNITED STATES DISTRICT COURT
17 EASTERN DISTRICT OF CALIFORNIA
18 SACRAMENTO DIVISION

19 CYTOSPORT, INC.,
20 Plaintiff,
21 v.
22 VITAL PHARMACEUTICALS, INC.,
23 Defendant.
24

Case No. 2:08-cv-02632-FCD-GGH

STIPULATION AND ORDER REGARDING
PAGE-LIMIT EXTENSION FOR
PLAINTIFF'S MOTION FOR PRELIMINARY
INJUNCTION AND OPPOSITION THERETO

25 **WHEREAS**, the Court, in its November 5, 2008 Order, ordered that all motions and
26 opposition briefs should be limited to 20 pages;
27
28

1 **WHEREAS**, Defendant Vital Pharmaceuticals, Inc. (“VPX”) desires a 20-page extension
2 for its opposition brief to CytoSport, Inc.'s (CytoSport's) Motion for Preliminary Injunction due to
3 the complexity and number of issues involved in the motion and VPX's opposition, the
4 seriousness of CytoSport's motion to enjoin VPX from selling its product, and the length of
5 CytoSport's Motion for Preliminary Injunction, which was 41 pages;

6 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by and
7 between CytoSport and VPX, by and through their respective attorneys of record, that VPX may
8 file an opposition brief to CytoSport's Motion for Preliminary Injunction of up to 40 pages in
9 length. Further, both Parties agree to a 21-page extension for CS's brief that is on file supporting
10 its Motion for Preliminary Injunction.

11 DATED: April 17, 2009.

/s/ Ramsey M. Al-Salam

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IT IS SO ORDERED.

DATED: April 20, 2009


FRANK C. DAMRELL, JR.

FRANK C. DAMRELL, JR.

UNITED STATES DISTRICT JUDGE