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5 Attorneys for Plaintiff
NOBLE SYSTEMS CORP.
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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION**

11 NOBLE SYSTEMS CORP.,

12 Plaintiff,

13 v.

14 CHRIS HOWELL d/b/a IMPACT
15 MARKETING,

16 Defendant.
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Case No. 2:09-cv-00749

[Assigned to
The Honorable Garland E. Burrell, Jr.
Courtroom 10]

**SECOND STIPULATED REQUEST
FOR:**

**(1) EXTENSION OF TIME FOR
PARTIES TO MEET AND
CONFER AND SUBMIT A JOINT
STATUS REPORT; AND**

**(2) CONTINUANCE OF STATUS
(PRE-TRIAL SCHEDULING)
CONFERENCE CURRENTLY
SCHEDULED FOR JULY 27, 2009**

[PROPOSED] ORDER THEREON

[Local Rules 6-144, 16-240]

Original Complaint Filed:
March 16, 2009

1 **COME NOW** Plaintiff Noble Systems Corp. (“Noble”) and Defendant
2 Chris Howell d/b/a Impact Marketing (“Howell”), through their respective counsel
3 of record, and pursuant to Local Rules 6-144 and 16-240, do hereby represent to
4 the Court and stipulate as follows:

5 1. Pursuant to this Court’s Order Setting Status (Pretrial Scheduling)
6 Conference, issued on March 18, 2009, and the Court’s Order entered on June 11,
7 2009, extending the deadlines established by the Order Setting Status (Pretrial
8 Scheduling) Conference, the following deadlines are currently pending in this
9 matter:

10 a. The parties must confer and develop a proposed discovery plan
11 no later than July 6, 2009;

12 b. The parties must file a Joint Status Report no later than July 13,
13 2009; and,

14 c. A Status (Pretrial Scheduling) Conference is scheduled to be
15 held on July 27, 2009, at 9:00 a.m.

16 2. The parties continue to be engaged in settlement negotiations, having
17 made significant progress, and although they have not yet reached agreement they
18 continue to be optimistic about the possibility of settling this matter;

19 3. Lead counsel for Noble is out of the country and unavailable during
20 the week of July 1, 2009, and lead counsel for Howell is traveling and unavailable
21 on July 6, 7, 8, 13 and 14, 2009;

22 4. The parties would like to continue to explore the possibility of
23 settlement before they are required to spend the time necessary to prepare a
24 proposed discovery plan and Joint Status Report;

25 5. The parties therefore request that the current deadlines be extended,
26 and the Status (Pretrial Scheduling) Conference continued, for at least two weeks.
27 They propose, and respectfully request, the following schedule:

1 a. The parties must confer and develop a proposed discovery plan
2 no later than July 20, 2009;

3 b. The parties must file a Joint Status Report no later than July 27,
4 2009; and,

5 c. A Status (Pretrial Scheduling Conference) will be held on
6 August 10, 2009 at 9:00 a.m.

7 DATED: July 2, 2009

DAVIS WRIGHT TREMAINE LLP

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9 By: /s/ Rochelle L. Wilcox

Rochelle L. Wilcox

10 Attorneys for
11 Plaintiff Noble Systems Corp.

12 DATED: July 2, 2009

RUSS, AUGUST & KABAT

13 By: /s/ Marc A. Fenster (as authorized on 7/2/09)

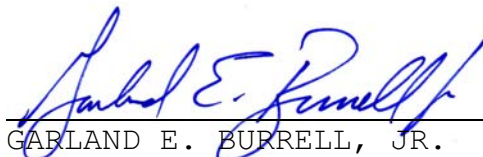
Marc A. Fenster

14 Attorneys for Defendant
15 Chris Howell d/b/a Impact Marketing

16 **[PROPOSED] ORDER**

17 It is so ordered.

18 Dated: July 2, 2009

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22 GARLAND E. BURRELL, JR.

23 United States District Judge