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6 Attorneys for Plaintiff  
7 ATPAC, INC., A CALIFORNIA CORPORATION

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ATPAC, INC., A CALIFORNIA  
CORPORATION,

Plaintiff,

v.  
APTITUDE SOLUTIONS, INC., A  
FLORIDA CORPORATION, COUNTY  
OF NEVADA, A CALIFORNIA  
COUNTY, AND GREGORY J. DIAZ, AN  
INDIVIDUAL,

Defendants.

Case No. 2:10-CV-00294-WBS-KJM

**STIPULATION AND ORDER TO MODIFY  
SCHEDULING ORDER**

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Plaintiff AtPac, Inc., a California Corporation, and Defendants Aptitude Solutions, Inc., a Florida Corporation, County of Nevada, a California County, and Gregory J. Diaz, an individual, by and through their respective counsel of record, hereby STIPULATE and AGREE that, good cause existing, the time within which the parties shall disclose any experts and produce expert reports in accordance with Federal Rule of Civil Procedure section 26(a)(2) and to disclose any rebuttal experts and produce rebuttal expert reports in accordance with Federal Rule of Civil Procedure section 26(a)(2) shall each be extended by one and one half months.

1       Accordingly, the parties shall disclose any experts and produce expert reports in  
2 accordance with Federal Rule of Civil Procedure 26(a)(2) no later than July 1, 2011. With regard  
3 to expert testimony intended solely for rebuttal, those experts shall be disclosed and reports  
4 produced in accordance with Federal Rule of Civil Procedure 26(a)(2) on or before August 1,  
5 2011.

6 || DATED: April 15, 2011

## DOWNEY BRAND LLP

By /s/ Michael A. Schaps  
MICHAEL A. SCHAPS  
Attorney for Plaintiff  
ATPAC, INC., A CALIFORNIA  
CORPORATION CYPRESS, LLP

By /s/ Robert Muller  
ROBERT MULLER  
Attorney for Defendants  
APTITUDE SOLUTIONS, INC., A FLORIDA  
CORPORATION, COUNTY OF NEVADA, A  
CALIFORNIA COUNTY, AND GREGORY  
J. DIAZ, AN INDIVIDUAL

## **ORDER**

The foregoing shall be and hereby is SO ORDERED.

Dated: April 19, 2011

John F. Ward  
UNITED STATES MAGISTRATE JUDGE