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Attorneys for Plaintiff
CYBERSOURCE CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CYBERSOURCE CORPORATION,

Plaintiff,

v.

RETAIL DECISIONS, INC.,

Defendant.

Case No. 3:04-CV-03268-MHP

**STIPULATION AND PROPOSED
ORDER REGARDING CLAIM
CONSTRUCTION DEADLINES**

Subject to the Court's approval, Plaintiff CyberSource Corporation and Defendant Retail Decisions, Inc. (collectively, the "Parties"), by and through their respective attorneys, hereby stipulate that:

1. In order to clarify the Parties' obligations regarding expert disclosures for claim construction under the Patent Local Rules, the Parties agree to the following deadlines:
 - By December 1, 2008, the Parties will notify each other as to whether they plan to present live expert testimony at the March 6, 2009 claim construction hearing,

1 and/or to submit a declaration(s) of one or more experts regarding claim
2 construction;

- 3 • For any expert identified in the December 12, 2008 Joint Claim Construction and
4 Prehearing Statement, each side will serve an expert report related to claim
5 construction by January 16, 2009; and
6 • The claim construction discovery deadline presently set for January 16, 2009 will
7 be moved to January 30, 2009.

8 2. In order to accommodate the claim construction discovery deadline, each of the
9 current deadlines for claim construction briefing will be moved by one week, as follows:

- 10 • CybserSource's opening claim construction brief, currently due January 30, 2009,
11 will be filed by February 6, 2009;
12 • ReD's responsive claim construction brief, currently due February 13, 2009, will
13 be filed by February 20, 2009; and
14 • CyberSource's reply claim construction brief, currently due February 20, 2009,
15 will be filed by February 27, 2009.

16 3. The claim construction hearing will take place on March 6, 2009, as presently
17 scheduled.

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20 Dated: November 13, 2008

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24 By: /s/ Marc J. Pernick

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25
26 Attorneys for Plaintiff
CYBERSOURCE CORPORATION
27
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1
2 Dated: November 13, 2008

SCOTT J. BORNSTEIN
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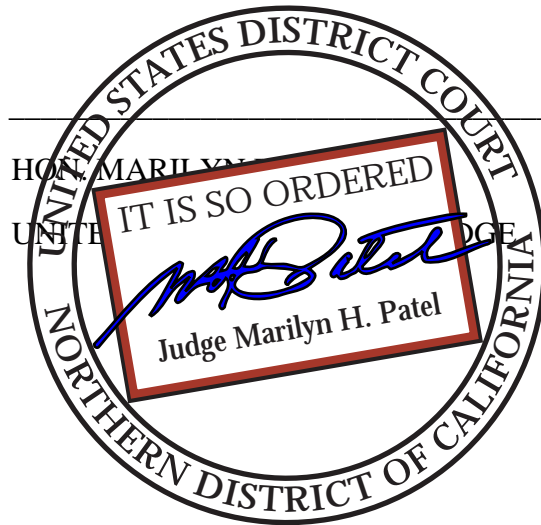
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7 By: /s/ James W. Soong

James W. Soong
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Attorneys for Defendant
RETAIL DECISIONS, INC.

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12 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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14 Dated: 11/14/2008



1 I, MARC J. PERNICK, am the ECF User whose ID and password are being used to file
2 this STIPULATION AND PROPOSED ORDER REGARDING CLAIM CONSTRUCTION
3 DEADLINES. In compliance with General Order 45, X.B., I hereby attest that James W. Soong
4 has concurred in this filing.

5 Dated: November 13, 2008

MORRISON & FOERSTER LLP

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7 By: /s/Marc J. Pernick
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