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 13 MARCONI COMMUNICATIONS and
 14 TELENT LTD.

15 UNITED STATES DISTRICT COURT FOR THE
 16 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

17 JOHN OSANITSCH,
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 19 Plaintiff,
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 21 vs.

22 MARCONI PLC, MARCONI ACQUISITION
 23 SUB, INC., MARCONI COMMUNICATIONS,
 24 TELEPHON AB L.M. ERICSSON, TELENT
 25 LTD.,
 26
 27 Defendants.

Case No. 3:05-cv-03988-CRB

**STIPULATION TO CONTINUE HEARING
 ON DEFENDANTS MOTION FOR
 ATTORNEYS' FEES; [~~PROPOSED~~
 ORDER]**

[OLD] HEARING DATE: March 12, 2010
 [NEW] HEARING DATE: April 9, 2010
 TIME: 10:00 a.m.
 JUDGE: Charles R. Breyer

1 On January 5, 2010, Defendants Marconi plc, Marconi Communications, and Telent plc
2 (collectively “Defendants”) filed a motion to recover their attorneys’ fees pursuant to the
3 Employee Separation Agreement and General Release executed between Plaintiff John Osanitsch
4 (“Osanitsch”) and Defendants. On January 15, 2010, Osanitsch and Defendants, collectively,
5 filed a stipulation to continue the hearing date on Defendants’ Motion for Attorneys’ Fees from
6 February 12, 2010 to March 12, 2010. On January 22, 2010, this Court granted the Stipulation
7 between Osanitsch and Defendants.

8 After this Court granted the Stipulation, the parties discussed settlement of this action
9 pursuant to the mediation program for the Ninth Circuit Court of Appeals. Osanitsch and
10 Defendants are currently in the process of exchanging drafts of a settlement agreement. In order
11 to allow those discussions to continue and reach final settlement of this action, the parties have
12 agreed, and hereby stipulate, to continue the hearing date on Defendants’ Motion for Attorneys’
13 Fees. Accordingly, Osanitsch and Defendants stipulate and agree to continue the hearing date on
14 Defendants’ Motion for Attorneys’ Fees from March 12, 2010 to April 9, 2010, or as soon
15 thereafter as the Court finds convenient.
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K&L GATES LLP

Dated: March 11, 2010

By: /s/Harold H. Davis, Jr.
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THE LAW OFFICES OF JAMES J.
SELTZER

Dated: March 11, 2010

By: /s/Timothy Murphy
Timothy Murphy

Attorney for Plaintiff JOHN OSANITSCH

PURSUANT TO STIPULATION IT IS SO ORDERED.

Dated: March 11, 2010

