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8 Attorneys for Defendants MARCONI PLC,  
 MARCONI COMMUNICATIONS and  
 9 TELENT LTD.

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION

14 JOHN OSANITSCH,

15 Plaintiff,

16 vs.

17 MARCONI PLC; MARCONI ACQUISITION  
 18 SUB, INC., MARCONI  
 COMMUNICATIONS; TELEPHON AB L.M.  
 19 ERICSSON; and TELENT LTD.,

20 Defendants.

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

**STIPULATION AND [PROPOSED  
 ORDER] TO CONTINUE HEARING  
 DATE ON DEFENDANTS' MOTION  
 FOR SUMMARY JUDGMENT**

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1 On September 29, 2009, Plaintiff's counsel and Defendants' counsel met and conferred  
 2 regarding the continuance of the Motion for Summary Judgment hearing. Pursuant to their meet and  
 3 confer, the parties have agreed and stipulate to a continuance of the hearing date on Defendants'  
 4 Motion for Summary Judgment from October 23, 2009 to ~~October 30, 2009~~ November 6, 2009 at 10:00 a.m. or as soon thereafter as is  
 5 available for the Court.

6 K&L GATES LLP

7 Dated: September 29, 2009

8 By: /s/ Harold H. Davis  
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 15 Attorneys for Defendant MARCONI PLC

16 THE LAW OFFICES OF JAMES J. SELTZER

17 Dated: September 29, 2009

18 By: *Timothy D. Murphy*  
 19 Timothy Murphy  
 20 Attorney for Plaintiff JOHN OSANITSCH

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 Dated: October 1, 2009

23 The Honorable

