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15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
 17 **SAN FRANCISCO DIVISION**

19 VINOVIATION, INC., a California corporation,)
 20 and OENOVATION INTERNATIONAL LLC,)
 a California corporation,)
 21 Plaintiffs,)
 22 v.)
 23 VA FILTRATION USA LLC, a California)
 corporation,)
 24)
 25 Defendant.)

Civil Action No.: 3:06-cv-02026-JSW
**JOINT INTERIM STATUS REPORT OF
 MAY 18, 2009**
**AND ORDER SETTING STATUS
 CONFERENCE**

1 On December 14, 2006, this Court granted the parties’ stipulation to stay this action until
2 twenty-one days after a Final Determination on Defendant’s Request for Re-Examination of U.S.
3 Patent No. 5,480,665 (the ‘665 patent) (D.I. 28). On June 15, 2007, this Court issued an Order
4 Requiring Joint Status Reports (D.I. 29). The parties submitted Joint Status Reports on June 27,
5 2007 (D.I. 30); March 3, 2008 (D.I. 32); June 2, 2008 (D.I. 33); December 2, 2008 (D.I. 34); and
6 March 19, 2009 (D.I. 36). The Ex Parte Re-Examination Certificate for the ‘665 patent issued on
7 December 19, 2008 (see Exhibit A to D.I. 36).

8 Since the most recent Status Report, there has been an exchange of proposals to resolve the
9 entire case. In order for the parties to finalize these discussions, the parties request a two week
10 period to attempt to complete settlement of this action. The parties will submit an updated Joint
11 Status Report on or before June 1, 2009.

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14 Dated: May 18, 2009

DERGOSITS & NOAH LLP

15
16 By: /s/
Michael E. Dergosits

17 Attorney for Plaintiffs VINOVAATION, INC.
18 and OENOVAATION INTERNATIONAL LLC
19

20 Dated: May 18, 2009

BINGHAM McCUTCHEN LLP

21
22 By: /s/
Judith Hom

23 Attorney for Defendant
24 VA FILTRATION USA LLC

25 The request to continue the stay is GRANTED. The Court ORDERS the parties to appear
26 for a status conference on June 12, 2009 at 1:30 p.m. The parties shall submit a joint status
27 report by no later than June 5, 2009. Should the Court receive a proposed stipulation of
dismissal, the case shall be terminated and the status conference vacated.

28 Dated: May 19, 2009

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