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12 Attorneys for Plaintiffs

13 VINOVAION, INC. and
 14 OENOVAION INTERNATIONAL LLC

15
 16 **IN THE UNITED STATES DISTRICT COURT**
 17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN FRANCISCO DIVISION**

19 **VINOVAION, INC., a California**
corporation and OENOVAION
 20 **INTERNATIONAL LLC, a California**
 21 **corporation**

Plaintiffs,

22 vs.

23 **VA FILTRATION USA LLC, a California**
corporation,
 24 **Defendant.**

) Case No.: 3:06-cv-02026-JSW

) ~~PROPOSED~~ ORDER GRANTING
) SECOND EXTENSION OF
) CONDITIONAL DISMISSAL
) [F.R.C.P. 41(a)]

) Honorable Jeffrey S. White

1 On February 18, 2010, the Court entered an Order (D.I. No. 91) for a voluntary 30-day
 2 Conditional Dismissal with prejudice of the above entitled action, under Federal Rule of Civil
 3 Procedure 41(a). The Order provided that Plaintiffs or Defendant could restore this matter to the
 4 Court's active docket in the event that the parties fail to fully execute a written settlement
 5 agreement within 30 days from the date of this Order. The parties were in agreement about the
 6 terms of the settlement and reduced the agreement to a writing ready to be signed by the parties.
 7 However, the transaction contemplated by the settlement required the consent of a third party.
 8 The third party was requested to provide the necessary consent on March 19, 2010, once the
 9 parties had finalized the language of the settlement agreement. The third party refused to
 10 provide the consent required to go forward with the transaction set forth in the settlement
 11 agreement between the parties. The parties have now re-negotiated the settlement to eliminate
 12 the need for the third party consent. In order to provide the parties with a reasonable time to
 13 obtain the signatures on the new settlement documents, the parties hereby stipulate and request
 14 the Court to extend the March 23, 2010 Order (D.I. No. 92) for seven (7) additional days,
 15 requiring the parties until April 13, 2010 to restore the case to the active docket if required.

16 IT IS SO STIPULATED.

17 Dated: April 6, 2010

DERGOSITS & NOAH LLP

18 By: /s/
 19 Michael E. Dergosits

20 Attorney for Plaintiffs VINOVIATION, INC.
 21 and OENOVATION INTERNATIONAL
 22 LLC

23 Dated: April 6, 2010

LAW OFFICE OF JUDITH S.H. HOM

24 By: /s/
 25 Judith Hom

26 Attorney for Defendant
 27 VA FILTRATION USA LLC
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1 Pursuant to Stipulation, IT IS SO ORDERED.

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4 Date: April 6, 2010



THE HONORABLE JEFFREY S. WHITE
United States District Court Judge

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