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8 Attorneys for Plaintiff/Counter-Defendant
 CNET NETWORKS, INC.

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



14 CNET NETWORKS, INC.

15 Plaintiff

16 vs.

17 ETILIZE, INC.,

18 Defendant.

Case No.: C 06-05378

**STIPULATION AND [PROPOSED] ORDER
 ACCELERATING HEARING DATE AND
 DEADLINES RE PLAINTIFF CNET
 NETWORKS, INC.'S MOTION TO MODIFY
 THE PROTECTIVE ORDER (CIV. L. R. 6-2)**

19 AND RELATED COUNTERCLAIMS.
 20

22 WHEREAS, Plaintiff CNET Networks, Inc. ("Plaintiff" or "CNET") intends to file its opening
 23 brief to Modify the Protective Order on September 24, 2008;

24 WHEREAS, pursuant to the Court's hearing schedule, the next available hearing date for a
 25 regularly noticed motion pursuant to the local rules is November 17, 2008;

26 WHEREAS, the Court's hearing schedule indicates the Court is available to hear motions on
 27 October 20, 2008;

28 WHEREAS, the parties have agreed to an October 20, 2008 hearing date and shortened briefing

1 schedule;

2 WHEREAS, the parties have agreed to the following briefing schedule and hearing date, pending
3 the Court's approval:

- 4 • Opening Brief: September 24, 2008
- 5 • Etilize's Opposition: October 8, 2008
- 6 • No Reply
- 7 • Hearing Date: October 20, 2008

8 WHEREAS, the parties have previously stipulated to and the Court has ordered previous time
9 modifications as set forth below:

- 10 • Continuation of the Case Management dates set forth in the Court's Order Setting Initial Case
11 Management Conference and ADR Deadlines;
- 12 • Extension of time to complete ADR mediation;
- 13 • Adoption of the schedule set forth in the Supplemental Case Management Order;
- 14 • Adoption of the schedule set forth in the Stipulation to modify the dates set forth in the
15 Supplemental Case Management Order; and
- 16 • Extending the briefing schedule and hearing date for Etilize's Motion for Summary Judgment
17 of Non-Infringement.

18 WHEREAS, the requested acceleration of time will not affect the Case Management Schedule;

19 IT IS THEREFORE HEREBY STIPULATED AND AGREED that all deadlines with respect to
20 further briefing and the hearing date on Plaintiff's Motion to Modify the Protective Order are accelerated
21 as follows:

- 22 1. CNET will file its opening brief to Modify the Protective Order on September 24, 2008.
- 23 2. The time for Etilize to file its opposition to CNET's Motion to Modify the Protective
24 Order is October 8, 2008.

25 ///
26 ///
27 ///
28 ///

1 3. CNET will not file a brief in reply to Etilize's opposition.

2 4. The hearing date regarding CNET's Motion to Modify the Protective Order is October 20,
3 2008.

4
5 Dated: September 24, 2008

Respectfully submitted,

6 WINSTON & STRAWN LLP

7
8 By: /s/ Patrick T. Michael

9 Glenn E. Westreich

Patrick T. Michael

10 Marcus T. Hall

Laura K. Carter

11 Attorneys for Plaintiff and Counter-
12 Defendant

CNET Networks, Inc.

13
14 Dated: September 24, 2008

MANATT, PHELPS & PHILLIPS, LLP

15
16 By: /s/ Michelle Gillette

17 J. Bruce McCubbrey

Michelle Gillette

18 Imran Khaliq

19 Attorneys for Defendant and Counter-
20 Plaintiff

Etilize, Inc.

21 *Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures,*
22 *Patrick T. Michael, hereby attests that concurrence in the filing of this document has been*
23 *obtained.*

24 **Pursuant to Stipulation, IT IS SO ORDERED.**

25
26
27 Dated: _____

The Hon. Marilyn H. Patel
United States District Judge

1 **PROOF OF SERVICE**

2 **CASE NAME:** *CNET Networks, Inc. v. Etilize, Inc.*
3 **COURT:** **U.S. District Court, N.D. California (San Francisco Division)**
4 **CASE NO.:** **C 06-5378 MHP**
5 **W&S FILE NO.:** **250328.00003**

6 I, the undersigned, certify that I am a resident of the State of California, that I am over the age of
7 eighteen years, and not a party to the within action. My business address is Winston & Strawn LLP, 101
8 California Street, Suite 3900, San Francisco, CA 94111-5894.

9 On **September 24, 2008**, I served the following document(s):

- 10 ➤ **STIPULATION AND [PROPOSED] ORDER ACCELERATING HEARING DATE
11 AND DEADLINES RE PLAINTIFF CNET NETWORKS, INC.'S MOTION TO
12 MODIFY THE PROTECTIVE ORDER (CIV. L. R. 6-2)**

13 on *Defendant and Counterclaimant Etilize, Inc.*, through their attorneys of record, by placing a true
14 copy thereof by the following means of service:

15 : By First-Class Mail – I am readily familiar with the firm’s practice for collection and processing
16 of correspondence for mailing. Under that practice, the correspondence is deposited with the United
17 States Postal Service on the same day as collected, with first-class postage thereon fully prepaid, in San
18 Francisco, California, for mailing to the office of the addressee(s) following ordinary business practices.

19 : By Personal Service – I caused each such envelope to be given to a courier messenger to
20 personally deliver to the office of the addressee(s).

21 : By Overnight Courier – I caused each such envelope to be given to an overnight mail service at
22 San Francisco, California, to be hand delivered to the office of the addressee(s) on the next business day.

23 : By Facsimile – From facsimile number (415) 591-1400 at no later than 5:00 p.m., I caused each
24 such document to be transmitted by facsimile machine, to the parties and numbers listed below, pursuant
25 to Rule 2008. The facsimile machine I used complied with Rule 2003(3) and no error was reported by
26 the machine.

27 : By Electronic Delivery – I caused each such electronic copy to be sent from the offices of
28 Winston & Strawn LLP, San Francisco, California to the electronic mailing address of the addressee(s).

29 Addressee(s):

30 **PLEASE SEE SERVICE LIST ATTACHED HERETO.**

31 I declare under penalty of perjury under the laws of the United States of America that the
32 foregoing is true and correct. Executed on **September 24, 2008**, at San Francisco, California.

33 _____
34 /s/ Tapa E. Tualaulelei
35 Tapa E. Tualaulelei

1 **SERVICE LIST**

2 *CNET Networks, Inc. v. Etilize, Inc.*

3 U.S.D.C., Northern District of California; Case No. C06-5378 (MHP)

4 **Attorneys for Defendant and Counterclaimant**

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