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8 *Attorneys for Defendant & Counterclaimant*
 ETILIZE, INC.

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

13
 14 CBS INTERACTIVE INC.,

15 Plaintiff,

16 vs.

17 ETILIZE, INC.,

18 Defendant.

Case No. C 06-5378 (MHP)

**STIPULATION AND ~~[PROPOSED]~~
 ORDER CONTINUING THE DATE FOR
 FILING OPPOSITIONS TO
 MOTIONS *IN LIMINE*
 FROM JANUARY 10, 2009
 TO JANUARY 12, 2009**

CIVIL L.R. 6-2 AND 7-12

19 AND RELATED COUNTERCLAIMS

21 Pursuant to Civil L.R. 6-2 and 7-12, Plaintiff CBS Interactive Inc. (“CBSi”) and
 22 Defendant Etilize, Inc. (“Etilize”), through their counsel of record, stipulate as follows:

23 WHEREAS, on April 30, 2008 the Court entered a Stipulation And Order Modifying The
 24 Schedule Set Forth In The Joint Case Management Order (*See* Docket No. 86) (“April 2008
 25 Scheduling Order”); and

26 WHEREAS, the April 2008 Scheduling Order is the only previous modification of the
 27 case schedule relating to the present matter; and

1 WHEREAS, the April 2008 Scheduling Order did not modify the originally scheduled
2 dates for the Pretrial Conference, set for approximately February 6, 2009, and for the Trial, set to
3 begin approximately February 16, 2009 (*see* April 2008 Scheduling Order, pp. 2-4); and

4 WHEREAS, the April 2008 Scheduling Order provides, *inter alia*, that the last day to file
5 oppositions to motions *in limine* is January 10, 2009, which falls on a Saturday (*see* April 2008
6 Scheduling Order, p. 3); and

7 WHEREAS, the Court's CM/ECF Systems Administrator has advised that the Court's
8 ECF system will be completely offline for routine maintenance from 9 p.m. Friday, January 9, to
9 5 p.m. Sunday, January 11, 2009; and

10 WHEREAS, the parties have met and conferred and agreed that the last day to file
11 oppositions to motions *in limine* should be continued until the next business day following the
12 originally scheduled date due to the fact that the same is a Saturday and the Court's ECF system
13 will be offline for routine maintenance; and

14 WHEREAS, continuance of the last day to file oppositions to motions *in limine* as
15 requested herein will not affect the previously scheduled dates for the Pretrial Conference, Trial
16 or any other dates in the April 2008 Scheduling Order;

17 NOW, THEREFORE, the parties respectfully submit this Stipulation And [Proposed]
18 Order Modifying Date For Filing Oppositions To Motions *In Limine* and request the Court to
19 enter an Order that the last day to file oppositions to motions *in limine* **is continued from**
20 **January 10, 2009 to January 12, 2009.**

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