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

19 MMCA GROUP LTD., a Virginia corporation,  
 20 Plaintiff,  
 21 v.  
 22 HEWLETT-PACKARD COMPANY, a  
 23 Delaware corporation, PICA CORPORATION,  
 24 an Ohio corporation,  
 25 Defendants.

No. C-06-7067 MMC (EMC)

26 STIPULATION AND ~~PROPOSED~~  
 27 ORDER CHANGING DEADLINES

[Fed. R. Civ. Proc. 6(b), Civil L.R. 6-1,  
 6-2, 7-1, 7-12]

[No Hearing Required]

Judge: Hon. Maxine M. Chesney

28 I. INTRODUCTION

Plaintiff MMCA Group Ltd. (“MMCA”) and Defendant Hewlett-Packard Company (“HP”) submit this stipulation and [proposed] order pursuant to Federal Rule of Civil Procedure 6(b) and Civil Local Rules 6-1, 6-2, 7-1, and 7-12, requesting that the Court extend the deadline for HP to file its Reply brief on its Motion for Partial Summary Judgment/Judgment on the Pleadings (Docket 360). HP’s Motion is currently scheduled to be heard on January 9,

1 2009, and the parties do not request a change to the hearing date. HP's Reply papers are due on  
2 December 10, 2008. The parties have stipulated and hereby request that the hearing date remain  
3 on January 9, 2009, with HP's reply due on December 15, 2008.

4  
5 II. BACKGROUND

6 On October 31, 2008, HP filed a Motion for Partial Summary Judgment, or, in the  
7 Alternative, Judgment on the Pleadings. The hearing on HP's Motion is currently set for January  
8 9, 2009. MMCA submitted its Opposition on December 3, 2008 and HP's Reply is currently due  
9 on December 10, 2008.

10 The parties previously stipulated – and the Court granted on November 10 - a two  
11 week extension for MMCA to file its Opposition brief. This was based on a number of factors,  
12 including the dissolution of one of MMCA's attorney's firms, and the deposition schedule of one  
13 of MMCA's attorneys. The parties further stipulated to extend the briefing schedule to allow  
14 MMCA additional time to review HP's document production. The Court granted the parties'  
15 request to extend the briefing schedule on November 26, setting the current hearing and briefing  
16 deadlines.

17 Since MMCA's Opposition was filed, several logistical issues have arisen related  
18 to MMCA's Opposition, which have delayed HP's ability to respond. These relate to the Bates  
19 numbering and confidentiality designations of some of the documents MMCA included as  
20 Exhibits to Declarations in Support of its Opposition. An issue has also arisen as to what MMCA  
21 exhibits and declaration testimony can be shown to HP's counsel. HP has requested and MMCA  
22 has agreed that the parties need additional time to resolve these issues and, accordingly, that it is  
23 appropriate for HP to have additional time to file its Reply brief.

24 The Parties hereby agree to continue the briefing schedule on HP's Motion for  
25 Summary Judgment, such that HP's Reply will be due on December 15, 2008, and the hearing  
26 date will remain on January 9, 2009.



1 ~~Proposed~~ Order Extending Briefing Schedule

2 IT IS HEREBY ORDERED that the deadline for HP's Reply on its Motion for Partial  
3 Summary Judgment or, in the Alternative, for Judgment on the Pleadings is extended to  
4 December 15, 2008. The hearing on HP's Motion will remain on January 9, 2009.

5  
6 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

7  
8 Dated: December 10, 2008

9  
10   
11 Hon. Maxine M. Chesney  
12 United States District Judge