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Attorneys for Third-Party Defendant,
INTERVOICE, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA (San Francisco Division)

PHOENIX SOLUTIONS, INC.,)
a California corporation,)
)
Plaintiff,)
)
v.)
)
SONY ELECTRONICS INC.,)
a Delaware corporation,)
)
Defendant.)
)
_____)
SONY ELECTRONICS INC.,)
a Delaware corporation,)
)
Third-Party Plaintiff,)
)
v.)
)
INTERVOICE, INC.,)
a Texas corporation,)
)
_____)
Third-Party Defendant.)

Case No. C07-2112 MHP

**STIPULATED REQUEST FOR
ORDER TO CHANGE MOTION
HEARING DATE**

65211864.1

1 Third-Party Defendant Intervice, Inc. (“Intervice”) and Third-Party Plaintiff Sony
2 Electronics, Inc. (“SEL”) respectfully request that the Court move the currently scheduled motion
3 hearing date from October 20, 2008 to October 27, 2008, or to the earliest available setting after
4 October 27, 2008, if that date is unavailable. The hearing at issue is currently set for 2:00 p.m. on
5 October 20, 2008.

6
7 The reason that this request for change of the motion hearing date is being made is due to
8 a recent family commitment of lead counsel for Intervice that conflicts with the currently
9 scheduled motion hearing. The parties have agreed that they will continue to meet the briefing
10 deadlines set by the Court.

11 The October 20, 2008 motion hearing was set by the Court on June 2, 2008 (Docket Entry
12 No. 130) and the briefing schedule was later amended pursuant to a stipulated request of the
13 parties on August 5, 2008 (Docket Entry No. 133), but the hearing date itself was left unchanged.

14
15 Since no scheduling order has been entered in this case, a short postponement of the
16 hearing will have no effect on the schedule of the case. Pursuant to Civil L.R. 6-1(b), because
17 this stipulated request affects a hearing, it is being filed at least 10 days before the currently
18 scheduled October 20, 2008 hearing.

19 For the foregoing reasons, Intervice and SEL jointly request that the currently scheduled
20 motion hearing be reset to October 27, 2008, or alternatively, to the earliest available setting after
21 October 27, 2008, if that date is unavailable.

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24 **SO STIPULATED.**

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Dated: September 22, 2008

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

By: /s/ Dan D. Davison

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By: /s/ Michelle Mancino Marsh

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Attorneys for Third-Party Plaintiff,
SONY ELECTRONICS INC.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Civil Local Rule 5-4 and General Order No. 45. As such, this document was served on all counsel who are deemed to have consented to electronic service per Civil Local Rule 5-5 and General Order No. 45 on September 22, 2008. I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 22, 2008.

/s/ Dan D. Davison
Dan D. Davison

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Pursuant to General Order 45.X(B), I hereby attest that concurrence in the filing of this Joint Stipulation has been obtained from Michelle Mancino Marsh, counsel for Third-Party Plaintiff Sony Electronics Inc.

Executed on September 22, 2008.

/s/ Dan D. Davison
Dan D. Davison

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ORDER

Based on the foregoing stipulation of the parties and the facts set forth therein, the Court finds good cause for entry of the Order requested by the parties.

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that the date for the motion hearing date in this case is changed from October 20, 2008, at 2:00 pm, to December 1 2008, at 2:00 a.m./p.m.

Date: 9/23/2008

