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5 Attorneys for Defendants

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 8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
 10 **SAN FRANCISCO DIVISION**

11 <b>JOHN GIDDING, PIVOTAL INC.</b>	)	<b>CASE NO. C-07-4755 JSW</b>
	)	
12 <b>Plaintiffs,</b>	)	<b>PLAINTIFFS' AND PLANTAGENET</b>
	)	<b>DEFENDANTS' STIPULATION EXTENDING</b>
13 <b>vs.</b>	)	<b>TIME FOR PLANTAGENET DEFENDANTS</b>
	)	<b>TO FILE RESPONSIVE PLEADING</b>
14 <b>DEREK ANDERSON, et al.,</b>	)	
	)	
15 <b>Defendants.</b>	)	
	)	
	)	
	)	

17  
 18 NOW COME Plaintiffs JOHN GIDDING and PIVOTAL, INC. (Plaintiffs) and the  
 19 PLANTAGENET DEFENDANTS (Defendants) and hereby stipulate to extend the Plantagenet  
 20 Defendants' time in which to file a responsive pleading to Plaintiffs' Third Amended Complaint.

21 This stipulation is entered into with reference to the following facts:

22 This Court's Order Granting Motion to Dismiss (doc. 115) states that, "Should Plaintiffs  
 23 elect to file a third amended complaint, they shall do so by no later than September 29, 2008 and  
 24 any response from defendants shall be filed no later than twenty days thereafter."

25  
 26 Plaintiffs filed a third amended complaint on September 29, 2008. On that same date,  
 27 Defendants' counsel, Matthew F. Quint, underwent prostate surgery at John Muir Medical Center  
 28 in Walnut Creek. Mr. Quint is still recuperating from that surgery.

1 As a result of Mr. Quint's recent surgery, Defendants have requested and Plaintiffs have  
2 agreed to stipulate that Defendants be granted an additional ten days, to October 30, 2008, to  
3 respond to Plaintiffs' Third Amended Complaint.

4 **SO STIPULATED.**

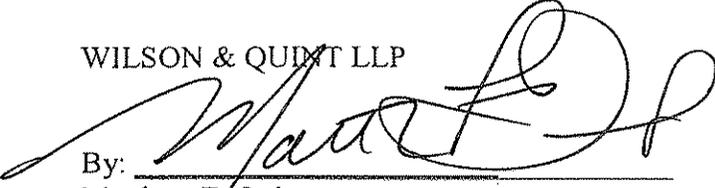
5 DATED: October 4, 2008.

BIRNBERG & ASSOCIATES

7 By:   
8 Cory A. Bimberg  
9 Attorneys for Plaintiffs

10 DATED: October 3, 2008.

WILSON & QUINT LLP

11 By:   
12 Matthew F. Quint  
13 Attorneys for Plantagenet Defendants

14 **Order**

15 Based on the foregoing stipulation and good cause appearing therefor,  
16 IT IS HEREBY ORDERED that any response by Plantagenet Defendants to Plaintiffs'  
17 third amended complaint shall be filed no later than October 30, 2008.

18 Dated: October 6, 2008

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20   
21 Jeffrey S. White  
22 United States District Court Judge  
23 Northern District of California