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5 **Attorneys for Plaintiffs**
6 **JOHN GIDDING, PIVOTAL, INC.**

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

11 JOHN GIDDING, PIVOTAL, INC.)	Case No. C-7-04755-JSW
)	
12 Plaintiffs,)	PLAINTIFFS' AND
)	PLANTAGENET DEFENDANTS'
13 v.)	STIPULATION TO MODIFY
)	BRIEFING SCHEDULE OF
14 DEREK ANDERSON, et al.,)	PIVOTAL PLAINTIFFS'
)	OPPOSITION TO MOTION TO
15 Defendants.)	DISMISS AND ORDER THEREON
)	
)	

16 _____

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19 NOW COME Plaintiffs JOHN GIDDING and PIVOTAL, INC. (Plaintiffs) and the

20 PLANTAGENET DEFENDANTS (Defendants) and hereby stipulate to continue the

21 briefing schedule for Defendants' Motion to Dismiss. Plaintiffs have requested an

22 extension of the briefing schedule due to the natural delays and organizational difficulties

23 associated with counsel's recent office relocation. Plaintiff notes that it had only one week

24 to do the opposition (while defendant had almost a month to do the motion) and Defendant

25 had two weeks to reply. The opposition is due during our move. We did not have computers

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1 and phones for a few days. The parties agree that Plaintiffs' opposition brief shall be due on
2 November 14, 2008 and Plantagenet Defendants' response, if any, shall be due on
3 December 5, 2008. The court's order of June 23, 2008 indicated that the parties by
4 agreement may modify the briefing schedule.
5

6 Defendant enters into this stipulation upon the stipulation for additional time, and it
7 is presented at Plaintiffs' request and is conditioned on Defendants receiving the additional
8 time set forth in the stipulation.
9

10 **SO STIPULATED**

11 BIRNBERG & ASSOCIATES

12 Dated: 31 October 2008

13 By: /s/ Cory A. Birnberg
14 Cory A. Birnberg
15 Attorneys for Plaintiffs

16 WILSON & QUINT, LLP

17 Dated: 31 October 2008

18 By: /s/ Matthew Quint
19 Matthew F. Quint
20 Attorneys for Defendants Plantagenet

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Order

Based upon the foregoing stipulation and good cause appearing therefor,

IT IS HEREBY ORDERED that the briefing schedule set forth in the court's order of October 29, 2008 is hereby modified and the Plaintiffs opposition is now due on November 14th and Defendant's reply, if any, is due on December 5th.

Dated: November 4, 2008

By: 
Jeffrey S. White
United States District Court Judge
Northern District of California