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8 Attorneys for Plaintiff
 9 Sun Microsystems, Inc.

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

13 SUN MICROSYSTEMS, INC.,
 14 Plaintiff

15 v.

16 NETWORK APPLIANCE, INC.,
 17 Defendant

CASE NO. 3:07-CV-05488-EDL
 C07-6053 EDL and C08-1641 EDL

**STIPULATION AND [~~PROPOSED~~] ORDER
 EXTENDING DUE DATE FOR REPLY
 BRIEF REGARDING SUN
 MICROSYSTEMS, INC.'S MOTION TO
 COMPEL PRODUCTION OF
 DOCUMENTS FROM NON-PARTY
 SYMANTEC CORPORATION**

**Date: June 30, 2009
 Time: 9:00 a.m.
 Courtroom: E, 15th Floor
 Hon. Elizabeth D. Laporte**

18 WHEREAS, on May 22, 2009, Sun Microsystems, Inc. ("Sun") filed a Motion to Compel
 19 Production of Documents and Deposition of non-party Symantec Corporation ("Motion to
 20 Compel");

21 WHEREAS, on June 9, 2009, Symantec Corporation ("Symantec") filed an Opposition to
 22 Sun's Motion to Compel Production of Documents and Deposition ("Symantec's Opposition Brief");

23 WHEREAS, pursuant to the Northern District Local Rules, Sun's Reply to Symantec's
 24 Opposition Brief shall be filed no later than June 16, 2009;

1 WHEREAS, the hearing on Sun's Motion to Compel Production of Documents and
2 Deposition of Symantec is noticed for June 30, 2009;

3 WHEREAS, Sun has requested an extension of time to June 19, 2009 (i.e., 3 days) for Sun to
4 file its reply in support of it Motion to Compel Production of Documents and Deposition in order to
5 continue its review of the documents (approximately 44,000 pages) that have been recently produced
6 by Symantec and continue its evaluation of the need for its Motion to Compel and related hearing;

7 WHEREAS, Sun and Symantec through undersigned counsel are continuing to meet-and-
8 confer in good faith regarding the issues raised by the motion.

9 THEREFORE, IT IS HERE BY STIPULATED by Sun and Symantec as follows:

10 (1) Sun's deadline to file its reply in support of it Motion to Compel Production of
11 Documents and Deposition is extended to June 19, 2009.

12
13 Dated: June 11, 2009

HOLME ROBERTS & OWEN LLP

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15 By: s/ Meryl Macklin
16 Meryl Macklin
17 Attorneys for Sun Microsystems, Inc.

LATHAM AND WATKINS LLP

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19 By: s/ Carisa Yee
20 Carisa Yee
21 Attorneys for Non-Party, Symantec Corporation

22 **IT IS SO ORDERED.**

23 June 15, 2009

24 ELIZABETH D. LAPORTE
25 United States District Court

