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12 Attorneys for Defendant and Counterclaimant,  
 KNOLL, INC.

14 **UNITED STATES DISTRICT COURT**  
 15 **NORTHERN DISTRICT OF CALIFORNIA**  
 16 **SAN FRANCISCO DIVISION**

17 ALPHAVILLE DESIGN, INC., a Delaware  
 corporation,  
 18 **Plaintiff,**  
 19 vs.  
 20 KNOLL, INC., a Delaware corporation,  
 21 **Defendant.**

Case No. 07-CV-05569 MHP (BZ)

**STIPULATION AND ~~PROPOSED~~  
 ORDER RE: SETTLEMENT  
 CONFERENCE SCHEDULE**

24 AND RELATED COUNTERCLAIMS.

Complaint filed: November 1, 2007  
 Trial Date: None set

1 **STIPULATION**

2 WHEREAS, at the July 6, 2009 Case Management Conference the Court ordered that the  
3 parties attend private mediation at JAMS before the Honorable Edward A. Infante (Ret.) at JAMS.  
4 See July 6, 2009 Transcript (Dkt. No. 244) at 35:15-37:18.

5 WHEREAS, Plaintiff and Counter-Defendant Alphaville Design, Inc., Counter-Defendants  
6 David and Peggy Lee, and Defendant and Counterclaimant Knoll, Inc. (collectively the “parties”)  
7 subsequently scheduled a settlement conference before the Honorable Edward A. Infante (Ret.) to  
8 be held on October 28, 2009.

9 WHEREAS, at the August 31, 2009 Case Management Conference, the parties informed the  
10 Court of this scheduled settlement conference, which the Court acknowledged and approved.

11 WHEREAS, on September 1, 2009, the Court referred this matter to the Honorable Bernard  
12 Zimmerman for settlement.

13 WHEREAS, on September 3, 2009, the Honorable Bernard Zimmerman issued an order  
14 setting a settlement conference to be held October 9, 2009. See Dkt. No. 256.

15 WHEREAS, the parties agree that it is not in the interest of judicial economy to have two  
16 settlement conferences scheduled closely together before two different mediators.

17 WHEREAS, the parties further agree that they should go forward with the previously  
18 scheduled conference before the Honorable Edward A. Infante (Ret.) and respectfully request that  
19 the Court take the settlement conference before the Honorable Bernard Zimmerman off-calendar to  
20 conserve the resources of the parties and the Court.

21 ACCORDINGLY, the parties, by and through the undersigned counsel, HEREBY  
22 STIPULATE THAT:

23 1. The September 1st order and September 3rd (Dkt. No. 256) order referring this  
24 matter to the Honorable Bernard Zimmerman for a settlement conference be vacated; and

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