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11 Attorneys for Plaintiff, and Counter-Claim Defendant
12 ALPHAVILLE DESIGN, INC. and
Counter-Claim Defendants
13 DAVID LEE and PEGGY LEE

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

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

Case No. CV 07-5569 MHP
**STIPULATION AND ~~[PROPOSED]~~
ORDER TO ALTER BRIEFING ON
KNOLL, INC.'S MOTION FOR
SUMMARY JUDGMENT**
Date: April 12, 2010
Time: 2:00 p.m.
Judge: Hon. Marilyn H. Patel
Courtroom: 15, 18th Floor

22 AND RELATED ACTIONS.

Complaint Filed: November 1, 2007
Counter Claims Filed: January 15, 2008
Trial Date: May 19, 2010

25 WHEREAS, on March 15, 2010, all parties and their counsel attended an all-day mediation
26 of this action; and

27 WHEREAS, the parties have reached agreement in principle conceptually for a possible
28

1 settlement of all claims, and are in the process of drafting a final agreement, after which the parties
2 intend that this action will be dismissed in its entirety; and

3 WHEREAS, on March 3, 2010, the Court entered an order continuing the hearing on
4 Knoll, Inc.'s pending motion for partial summary judgment in the above-captioned action from
5 March 29, 2010 to April 12, 2010; continuing to March 19 the time for Alphaville Design, Inc. to
6 file its memorandum in opposition to that motion; and continuing to March 29, 2010 the time for
7 Knoll, Inc. to file its reply memorandum in support of that motion; and

8 WHEREAS, under the current briefing schedule, Alphaville Design, Inc.'s memorandum in
9 opposition to Knoll's motion for summary judgment must be filed no later than March 19, 2010;
10 and

11 WHEREAS, the parties wish to devote their energies to drafting and finalizing a settlement
12 agreement, at which point the pending motion will be removed from the Court's calendar; and

13 WHEREAS, in the event that the settlement is not finalized prior to the hearing date on this
14 motion, the change in the briefing schedule requested herein **will not affect the current hearing**
15 **date or the date that final briefing will be completed;**

16 THEREFORE, the parties stipulate and agree:

17 1. To a continuance of the deadline for Alphaville's memorandum in opposition to
18 Knoll, Inc.'s motion for partial summary judgment from March 19 to March 24, 2010.

19 3. That the deadline for Knoll, Inc.'s reply memorandum in support of its motion for
20 partial summary judgment shall remain March 29, 2010, and that the hearing date on that motion
21 shall remain April 12 unless and until such time as the motion is removed from the Court's
22 calendar or the case is dismissed.

23 DATED: March 16, 2010

COBLENTZ, PATCH, DUFFY & BASS LLP

24

25 By: /s/ Julia D. Greer
26 Julia D. Greer
27 Attorneys for Plaintiff
28 ALPHAVILLE DESIGN, INC. and Counter-
Claim Defendants ALPHAVILLE DESIGN,
INC., DAVID LEE AND PEGGY LEE

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DATED: March 16, 2010

K & L GATES LLP

By: _____
Karineh Khachatourian
Attorneys for Defendant and Counter-Claim
Plaintiff KNOLL, INC.

IT IS SO ORDERED.

DATED: 3/18/2010



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ATTESTATION PER GENERAL ORDER 45, § X.B.

I hereby attest that Karineh Khachatourian, counsel for Defendant, concurs in the filing of this document, and that I have on file concurrence of counsel for Defendant indicated by a "conformed" signature (/s/) within this e-filed document.

DATED: March 16, 2010

COBLENTZ, PATCH, DUFFY & BASS LLP

By: /s/ Julia D. Greer
Julia D. Greer
Attorneys for Plaintiff
ALPHAVILLE DESIGN, INC. and Counter-
Claim Defendants ALPHAVILLE DESIGN,
INC., DAVID LEE AND PEGGY LEE