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10 Attorneys for Defendants
 11 RED HAT, INC. and
 12 RED HAT MIDDLEWARE, LLC

13 **IN THE UNITED STATES DISTRICT COURT**
 14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

16 FIRESTAR SOFTWARE, INC.,

17 Plaintiff,

18 v.

19 RED HAT, INC., et al.,

20 Defendants.

Case No. C 07-80204 MISC MMC (EMC)

**STIPULATION AND [~~PROPOSED~~]
 ORDER RESCHEDULING HEARING
 ON THOUGHT, INC.'S MOTION TO
 QUASH THIRD PARTY SUBPOENA, OR
 IN THE ALTERNATIVE, FOR A
 PROTECTIVE ORDER**

1 The Parties hereby stipulate that the hearing on Thought, Inc.'s motion to quash third party
2 subpoena, or in the alternative, for a protective order be rescheduled to March 19, 2008, at 10:30 a.m.

3 Dated: January 31, 2008

Respectfully submitted,

4 HARVEY SISKIND LLP

5 By: _____ /s/
6 Seth I. Appel

7 Attorneys for Defendants
8 RED HAT, INC. and RED HAT MIDDLEWARE, LLC.

9 JOHN JASON GENTRY MULLINS

10 By: _____ /s/
11 John Jason Gentry Mullins

12 Attorneys for Third Party
13 THOUGHT, INC.

14
15 **[PROPOSED] ORDER**

16 The Parties have stipulated that the hearing on Thought, Inc.'s motion to quash third party
17 subpoena, or in the alternative, for a protective order be rescheduled to March 19, 2008, at 10:30 a.m.

18 Good cause appearing therefore:

19 IT IS SO ORDERED.

20 Dated: February 1, 2006

21 The Honorable Edward M. Chen
22 United States District Judge

