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12 Sun Microsystems, Inc.

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

16 SUN MICROSYSTEMS, INC.,
17 Plaintiff/Counterdefendant,
18 v.
19 NETWORK APPLIANCE, INC.,
20 Defendant/Counterplaintiff.

CASE NO. 3:08-CV-01641 EDL

**STIPULATION AND ~~PROPOSED~~ ORDER
EXTENDING CASE SCHEDULE**

21 WHEREAS, Sun Microsystems, Inc. (“Sun”) and NetApp, Inc. (“NetApp”) have agreed
22 that depositions of witnesses that have already been noticed must be completed no later than
23 January 22, 2010;

24 WHEREAS, opening expert reports are currently due on January 11, 2010; and

25 WHEREAS, the parties seek to avoid having depositions occur after service of opening
26 expert reports;

27 THEREFORE, IT IS HEREBY STIPULATED by Sun and NetApp that:

28 (1) Opening Expert Reports shall be served on February 12, 2010;

