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 CONTINENTAL D.I.A. DIAMOND PRODUCTS, INC.

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14 Attorneys for Defendants,
 DONG YOUNG DIAMOND INDUSTRIAL CO., LTD,
 15 AND DONGSOO LEE

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

18 CONTINENTAL D.I.A. DIAMOND
 19 PRODUCTS, INC., a California corporation,

20 Plaintiff,

21 vs.

22 DONG YOUNG DIAMOND INDUSTRIAL
 23 CO., LTD., a South Korean company,
 DONGSOO LEE, an individual, and DOES 1-
 24 10, inclusive,

25 Defendants.

26 AND RELATED COUNTERCLAIMS.
 27

Case No. CV 3:08-CV-02136 SI

**STIPULATION AND [PROPOSED] ORDER
 EXTENDING TIME FOR CONTINENTAL
 D.I.A. DIAMOND PRODUCTS, INC. TO
 RESPOND TO DEFENDANTS' AMENDED
 COUNTERCLAIMS**

Judge: Honorable Susan Illston

Complaint Filed: April 24, 2008

Trial Date: November 9, 2009

STIPULATION

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2 WHEREAS, on August 26, 2008, the Court granted, in part, Plaintiff CONTINENTAL
3 D.I.A. DIAMOND PRODUCTS, INC.'s ("Continental") Motion to Dismiss Defendants DONG
4 YOUNG DIAMOND INDUSTRIAL CO., LTD.'s ("Dong Young"), and DONGSOO LEE's ("Lee")
5 (collectively "Defendants") Counterclaims (Docket No. 42);

6 WHEREAS, the Court granted Defendants leave to amend and set the deadline for
7 Defendants to file their amended counterclaims on or before September 19, 2008;

8 WHEREAS, due to the schedules of counsel, Continental agreed to grant Defendants a seven
9 (7)-day extension to file their amended counterclaims (Docket Nos. 45 and 46);

10 WHEREAS, on September 26, 2008, Defendants filed their amended counterclaims (Docket
11 No. 47).

12 WHEREAS, due to the schedules of counsel, Defendants agree to grant Continental a seven
13 (7)-day extension to file its response to the amended counterclaims;

14 WHEREAS, this is the third extension sought in relation to the counterclaim and amended
15 counterclaims, this extension is not for the purpose of delay, and the parties believe that this short
16 extension of time will not affect any dates and other deadlines that have been set by the Court and is
17 in the interests of justice.

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1 ACCORDINGLY, the parties, by and through their undersigned counsel, HEREBY
2 STIPULATE that the deadline for Continental to file its response to Defendants' Amended
3 Counterclaims, which was originally due on October 10, 2008, may be filed and served up to and
4 including October 17, 2008.

5 Dated: October 7, 2008 MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO P.C.

6 */s/ Jeffrey M. Ratinoff*

7 By: JEFFREY M. RATINOFF

8 Attorneys for Plaintiff/Counterclaim Defendant,
9 Continental D.I.A. Diamond Products, Inc.

10 Dated: October 7, 2008 PRETI FLAHERTY BELIVEAU & PACHIOS, LLP

11 */s/ Alfred C. Frawley*

12 By: ALFRED C. FRAWLEY

13 Attorneys for Defendant/Counterclaim Plaintiff,
14 Dong Young Diamond Industrial Co., Ltd., and Dongsoo Lee
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16 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

17 Dated: October ____, 2008

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19 THE HONORABLE SUSAN ILLSTON
20 UNITED STATES DISTRICT COURT JUDGE