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7 Attorneys for Plaintiff and Counter-Defendant,
 CONTINENTAL D.I.A. DIAMOND PRODUCTS, INC.

9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN FRANCISCO DIVISION**

12 CONTINENTAL D.I.A. DIAMOND
 13 PRODUCTS, INC., a California corporation,

14 Plaintiff,

15 vs.

16 DONG YOUNG DIAMOND INDUSTRIAL
 17 CO., LTD., a South Korean company,
 DONGSOO LEE, an individual, and DOES 1-
 18 10, inclusive,

19 Defendants.
 20

21 AND RELATED COUNTERCLAIMS.

Case No. CV 08-2136 SI

**STIPULATED REQUEST AND
 [PROPOSED] ORDER CONTINUING
 CASE MANAGEMENT CONFERENCE**

Judge: Honorable Susan Illston

Complaint Filed: April 24, 2008

Trial Date: February 16, 2010

STIPULATION

1
2 WHEREAS, on September 3, 2008, the Court entered a pre-trial scheduling order setting
3 various deadlines, including a case management conference for January 9, 2009 (Dkt. No. 44);

4 WHEREAS, on December 30, 2008, the Clerk of the Court issued a notice continuing the
5 case management conference to February 20, 2009 (Dkt. No. 75);

6 WHEREAS, on January 15, 2009 the Court entered an order staying the case and moving
7 the case management deadlines out approximately three months, including continuing the February
8 20, 2009 case management conference to April 17, 2009 (*See* Dkt. Nos. 76-79);

9 WHEREAS, on March 27, 2009, on its own volition, the Court continued the April 17, 2009
10 case management conference to May 8, 2009 (Dkt. No. 87);

11 WHEREAS, on April 30, 2009, on its own volition, the Court continued the May 8, 2009
12 case management conference to May 11, 2009 (Dkt. No. 89);

13 WHEREAS, lead trial counsel for Continental Diamond has a pre-planned vacation that
14 conflicts with the May 11, 2009 case management conference;

15 WHEREAS, counsel for the parties agreed that they would seek to move the case
16 management conference to a mutually agreeable date and time to accommodate the vacation
17 schedule of Plaintiff's counsel and the vacation and travel schedule of lead counsel for Defendants;

18 WHEREAS, the Court's Clerk advised the parties to file a stipulation moving the case
19 management conference to one of several alternative times and dates in the month of May, including at
20 4:00 p.m. on May 26, 2009.

21 WHEREAS, the parties represent that this extension is not for the purpose of delay, and the
22 parties believe that this extension of time will not affect any other dates that have been set by the
23 Court.

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1 ACCORDINGLY, the parties, by and through their undersigned counsel, HEREBY
2 STIPULATE to this request that the currently scheduled case management conference be continued
3 from 3:00 p.m. on May 11, 2009 to 4:00 p.m. on May 26, 2009.

4 Dated: May 7, 2009 MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO P.C.

5 */s/ Jeffrey M. Ratinoff*

6 By: JEFFREY M. RATINOFF

7 Attorneys for Plaintiff and Counter-Defendant
8 Continental D.I.A. Diamond Products, Inc.

9
10 Dated: May 7, 2009 PRETI FLAHERTY BELIVEAU & PACHIOS, LLP

11 */s/ Alfred C. Frawley*

12 By: ALFRED C. FRAWLEY

13 Attorneys for Defendants and Counterclaimants,
14 Dong Young Diamond Industrial Co., Ltd., and Dongsoo Lee

15 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

16 Dated: _____

17 

18 THE HONORABLE SUSAN ILLSTON
19 UNITED STATES DISTRICT COURT JUDGE

20
21 4610434v.2