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T-CROSS

8  
9 THE UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

12 T-CROSS, a South Korean sole proprietorship,

Case No.: 5:08-cv-02373-JSW

13 Plaintiff,

14 v.

**STIPULATION AND ~~[PROPOSED]~~ ORDER  
TO CONTINUE INITIAL CASE  
MANAGEMENT CONFERENCE AND ADR  
DEADLINES**

15 MARKETING SPECIALISTS, INC, an Arkansas  
corporation,

16 Defendant.  
17

18 Pursuant to Civil Local Rule 6-2, Plaintiff T-Cross and Defendant Marketing Specialists, Inc.  
19 hereby stipulate and jointly request that the Court continue the Initial Case Management Conference  
20 and ADR deadlines. The parties jointly declare the following in support of this request:

21 WHEREAS, the Initial Case Management Conference is presently scheduled for October 17,  
22 2008 at 1:30 P.M.;

23 WHEREAS, the parties mediated before JAMS on August 22, 2008 and settlement  
24 negotiations are ongoing;

25 WHEREAS, the parties believe that an extension of time for the Case Management  
26 Conference and ADR deadlines in this matter may aid the parties in their efforts to resolve this  
27 litigation and conserve the resources of the Court and the parties;  
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1 WHEREAS, the parties have sought a previous modification to the Order Setting Initial Case  
2 Management Conference and ADR Deadlines, and previous stipulations by the parties in this case  
3 have been to extend the time for Defendant Marketing Specialists, Inc. to respond to the Complaint  
4 pursuant to Civil Local Rule 6-1(a);

5 WHEREAS, the parties have conferred and mutually agreed that they are available for an  
6 Initial Case Management Conference by thirty days;

7 NOW THEREFORE, the parties through their undersigned counsel hereby stipulate and  
8 request the Court to continue the Initial Case Management Conference to occur thirty days from this  
9 filing or on a date as soon thereafter as is available with the Court, and that the other dates scheduled  
10 in the Court's Order Setting Initial Case Management Conference and ADR Deadlines are continued  
11 accordingly.

12  
13 **IT IS SO STIPULATED.**

14 Dated: October 6, 2008

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15  
16 By: /s/ Margaux A. Aviguetero

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24 Dated: October 9, 2008

COX LAW FIRM

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Attorneys for Defendant  
Marketing Specialists, Inc.

**ORDER**

Pursuant to the stipulation of the parties, it is hereby ORDERED that the Initial Case Management Conference is continued to December 19, 2008 at 1:30 p.m., and that the other dates scheduled in the Court’s Order Setting Initial Case Management Conference and ADR Deadlines are continued accordingly.

Dated: October 10, 2008

  
United States District Court Judge

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