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 13 NUANCE COMMUNICATIONS, INC.

14 [Additional Counsel on Signature Page]

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION

18 NUANCE COMMUNICATIONS, INC.,
 19 Plaintiff,
 20 v.
 21 ABBYY USA SOFTWARE HOUSE,
 INC., et al.
 22 Defendants.
 23

Case No.: C 08-02912 JSW MEJ

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING TIME**

1 Pursuant to the Court's Order of April 12, 2010, the parties in the above-captioned action
2 have conferred in good faith regarding appointment of a Special Master for the purpose of
3 preparing a Report and Recommendation regarding the order of the patents, claims and terms to be
4 adjudicated in this matter.

5 The parties evaluated eight potential candidates for this task. The parties believed to have
6 essentially narrowed them down close to a final selection of one joint candidate to submit to the
7 Court. Due to additional facts that need further investigation and came to light today, more time is
8 needed to verify those facts. The parties are hopeful to be in position to make a final selection by
9 Tuesday April 27, 2010.

10 Counsel for the parties therefore hereby stipulate and agree, pursuant to Civil L.R. 6-2 and
11 subject to the Court's approval, that the time for reporting a final selection to the Court, be, and it
12 hereby is, extended from April 23, 2010 to and including APRIL 27, 2010, to permit the parties to
13 finalize their evaluation.

14 This is the first extension requested for this deadline. The extension is not anticipated to
15 materially impact the case schedule. This stipulation is made in good faith and without any intent
16 to cause delay or prejudice, but to allow the parties a reasonable opportunity to continue
17 investigations and permit appointment of a special master in this case. The parties to this
18 proceeding therefore request that the Honorable Court reset the above-mentioned deadline for good
19 cause shown herein.

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Respectfully submitted,

Dated: April 23, 2010

WILSON SONSINI GOODRICH & ROSATI

By: /s/ M. Craig Tyler
M. Craig Tyler

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Attorneys for Plaintiff
NUANCE COMMUNICATIONS, INC.

Dated: April 23, 2010

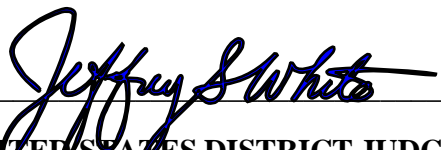
By: /s/ Matthew M. Wawrzyn
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*Attorneys for Plaintiffs and Counter-Defendants in
Case No. C 08-02912*
ABBYY USA SOFTWARE HOUSE
LEXMARK INTERNATIONAL, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED. There will not be a further extension of this deadline.

Dated: April 26, 2010


UNITED STATES DISTRICT JUDGE
JEFFREY S. WHITE