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JP MORGAN CHASE BANK, N.A., AS
7 ACQUIRER OF CERTAIN ASSETS AND LIABILITIES
OF WASHINGTON MUTUAL BANK

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

12 ACTUATE CORPORATION, a Delaware
corporation,

13 Plaintiff,

14 vs.

15 WASHINGTON MUTUAL BANK, a
16 Washington corporation,

17 Defendant.

Case No. CV 08-2918 SI

**STIPULATION TO CONTINUE FURTHER
CASE MANAGEMENT CONFERENCE;
[PROPOSED] ORDER THEREON**

Judge: Hon. Susan Illston

Trial Date: December 7, 2009

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Case No. CV 08-2918 SI
STIPULATION TO CONTINUE CMC;
[PROPOSED] ORDER

[PROPOSED] ORDER

Pursuant to the stipulation of counsel, and good cause shown therefor, it is hereby ordered that the Further Case Management Conference in this matter shall be held on ~~June~~ July 10, 2009, at 3 p.m.



Hon. Susan Illston
United States District Judge

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1 **CERTIFICATION BY BENJAMIN K. RILEY PURSUANT TO GENERAL RULE NO. 45,**
2 **SECTION X. RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES**

3 1. I am an attorney licensed to practice law in the State of California, and am a partner
4 with the law firm of Howrey LLP, counsel for Washington Mutual. The statements herein are made on
5 my personal knowledge, and if called as a witness I could and would testify thereto.

6 2. The above e-filed document contains multiple signatures. I declare that concurrence
7 has been obtained from each of the other signatories to file this jointly prepared document with the
8 Court. Pursuant to General Rule No. 45, I shall maintain records to support this concurrence for
9 subsequent production for the Court if so ordered, or for inspection upon request by a party until one
10 year after final resolution of the action (including appeal, if any).

11 I declare under penalty of perjury under the laws of the United States of America that the
12 foregoing is true and correct on May 7, 2009.

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14 /s/ Benjamin K. Riley
Benjamin K. Riley