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 MUSTEK, INC.
 13

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN JOSE DIVISION

17 TECHNOLOGY LICENSING COMPANY,
 INC.,
 18
 Plaintiff,
 19
 v.
 20 MUSTEK, INC.,
 21
 Defendant.

CASE NO. 5:08-cv-04253-PVT
**STIPULATION AND [XXXXXXXXXXXXX
 ORDER CONTINUING CASE
 MANAGEMENT CONFERENCE**
 Magistrate Judge Patricia V. Trumbull
 Current Case Management Conference:
 Date: January 20, 2009
 Time: 2:00 p.m.
 Ctrm: 5

22
 23
 24 and related counterclaim.
 25

McDERMOTT WILL & EMERY LLP
 ATTORNEYS AT LAW
 IRVINE

1 Pursuant to Local Rules 6-2 and 7-12, Plaintiff Technology Licensing Company, Inc. and
2 Defendant Mustek, Inc. jointly request that the Court continue the case management conference,
3 now scheduled in this case for January 20, 2009.

4 The following facts are relevant to this request:

- 5 1. Defendant Mustek, Inc. has been duly served in this action, filing an answer and
6 counterclaim on December 29, 2008.
- 7 2. Plaintiff Technology Licensing Company's response to the counterclaim is due
8 January 20, 2009.
- 9 3. The parties are engaged in an informal exchange of information and discussions
10 regarding possible settlement and are hopeful that these discussions will bear fruit.
- 11 4. This case is currently set for a Case Management Conference on January 20, 2009
12 at 2:00 p.m. The Case Management Statement is due by January 13, 2009.
- 13 5. The parties agree that their resources and the resources of the Court would best be
14 served by postponing the Case Management Conference.

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16 Based on the foregoing, THE PARTIES HEREBY STIPULATE to the following:

- 17 1. The initial Case Management Conference currently scheduled for
18 January 20, 2009, should be continued to February 10, 2009 (or such other date as
19 the Court may designate) at 2:00 p.m. in Courtroom 5 of the United States
20 Courthouse located at 280 South First Street, San Jose, California 95113.
- 21 2. The Case Management Statement currently due on January 13, 2009, should be
22 filed no later than February 3, 2009 (or such other date as the Court may
23 designate).

1 Before the filing of this stipulation, there have not been any changes to Court ordered
2 deadlines or dates in this case. The effect on the schedule for this case depends on the timing and
3 outcome of the parties settlement negotiations.

4 **IT IS SO STIPULATED.**

5 Dated: January 14, 2009

TECHNOLOGY LICENSING COMPANY, INC.

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7 By: /s/ Matthew Weil for Mr. Carpenter
John Wade Carpenter

8 Attorneys for Plaintiff/Counterdefendant
9 TECHNOLOGY LICENSING COMPANY, INC.

10 Dated: January 14, 2009

McDERMOTT WILL & EMERY LLP

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12 By: /s/ Matthew F. Weil
Matthew F. Weil

13 Attorneys for Defendant/Counterclaimant
14 MUSTEK, INC.

15 ATTESTATION OF E-FILED SIGNATURE

16 I, Matthew Weil, attest that signatory John Carpenter has read and approved the
17 STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT
18 CONFERENCE and consents to its filing in this action.
19

20 /s/ Matthew F. Weil
21 Matthew F. Weil

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

23
24 Dated: January 15, 2009



25 PATRICIA V. TRUMBULL
26 UNITED STATES MAGISTRATE JUDGE

27 ORC 454013-1.082851.0012