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11 Attorneys for Plaintiff and Counterdefendant  
 ACTIVIDENTITY CORPORATION

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA

15 ACTIVIDENTITY CORPORATION, a )  
 16 Delaware Corporation, )

17 Plaintiff, )

18 v. )

19 INTERCEDE GROUP PLC AND INTERCEDE )  
 LTD., both of Lutterworth, UK, )

20 Defendants. )  
 21 )

CASE NO.: C 08-04577 VRW

**STIPULATED REQUEST TO  
 CONTINUE THE CASE  
 MANAGEMENT CONFERENCE  
 AND EXTEND TIME FOR  
 PLAINTIFF TO RESPOND TO  
 DEFENDANTS' FIRST AMENDED  
 COUNTERCLAIMS**

22 DEMAND FOR JURY TRIAL

23 Case Management Conference: 7/2/2009  
 at 3:30 P.M.  
 24 Joint Case Management Statement:  
 6/25/2009.

1 Pursuant to Local Rule 6-2, plaintiff ActivIdentity Corporation (“ActivIdentity”) and  
2 defendants Intercede Group PLC and Intercede Ltd. (collectively, “Intercede”) submit this  
3 stipulated request to continue the date of the case management conference and to extend the time  
4 for Plaintiff to file answer, move or otherwise respond to Defendants’ respective First Amended  
5 Counterclaims.

6 **A. The Parties Stipulate and Request to Continue the Case Management**  
7 **Conference to June 25, 2009.**

8 This is the parties’ first request to continue the date of the case management conference. A  
9 history of previous time modifications to the case management conference is as follows:

- 10 • On October 1, 2008, ActivIdentity filed its complaint for patent infringement  
11 against Defendants and a case management conference was scheduled for January  
12 27, 2009 with Magistrate Judge Lloyd. *See* Docket Nos. 1 and 3.
- 13 • After reassignment to this Court, on November 12, 2008, the case management  
14 conference was scheduled for February 26, 2009. *See* Docket No. 11.
- 15 • On December 22, 2008, the Clerk issued a notice continuing the case management  
16 conference to March 19, 2009. *See* Docket No. 14.
- 17 • On February 9, 2009, ActivIdentity filed a motion to dismiss Intercede’s  
18 counterclaims and strike affirmative defenses; after which, the clerk vacated the  
19 March 19, 2009 case management conference date. *See* Docket No. 18.
- 20 • On March 26, 2009, Intercede filed their opposition to the motion to dismiss along  
21 with their First Amended Answers and Counterclaims and accordingly,  
22 ActivIdentity withdrew its motion to dismiss on March 30, 2009. *See* Docket Nos.  
23 20, 21, 22, 23, and 26. On March 30, 2009, the clerk issued a notice scheduling the  
24 case management conference for April 16, 2009.

25 The parties have stipulated and request to continue the case management conference to  
26 June 25, 2009 due to scheduling conflicts. Additionally, the current date for the case  
27 management conference requires that the parties submit a joint statement prior to the close of the  
28 pleadings. The joint statement is currently due on April 9, 2009 – almost one week before

1 ActivIdentity’s current deadline for responding to the First Amended Counterclaims. *See*  
2 Chung-Han Decl., ¶ 2. Thus, the current April 16, 2009 case management conference date  
3 would not allow the parties to address ActivIdentity’s response and possible defenses to the First  
4 Amended Counterclaims in the joint statement. The parties have met and conferred regarding  
5 scheduling matters in this case, and considering the Court’s calendar and counsels’ respective  
6 schedules, the first available date on the Court’s calendar for a case management conference is  
7 June 25, 2009. *See* Chung-Han Decl., ¶¶ 4-6. Accordingly, the parties stipulate and request to  
8 continue the case management conference to ~~June 25, 2009~~ July 2, 2009. Statement due 6/25/09

9 **B. The Parties Have Stipulated and Request to Extend the Time for**  
10 **ActivIdentity to Respond to the First Amended Counterclaims.**

11 This is the first request to extend the time for ActivIdentity to respond to Intercede’s  
12 counterclaims and there have been no previous time modifications regarding this deadline. The  
13 parties had previously stipulated to extend the time for Intercede to respond to ActivIdentity’s  
14 complaint from November 12, 2008 to January 19, 2009. *See* Docket No. 10. If the case  
15 management conference is continued, as requested, the requested extension would not affect any  
16 deadlines in this case. Accordingly, the parties stipulate and request to extend the time for  
17 ActivIdentity to respond to Intercede’s respective First Amended Counterclaims from April 15,  
18 2009 to May 15, 2009.

19  
20 Dated: April 8, 2009

Respectfully submitted,

21 WILSON SONSINI GOODRICH & ROSATI

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23 By: /s/ Ariana M. Chung-Han  
Ariana M. Chung-Han

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25 Attorneys for Plaintiff  
ACTIVIDENTITY CORPORATION

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1 Dated: April 8, 2009

Respectfully submitted,

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FENWICK & WEST LLP

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By: /s/ Darryl M. Woo  
Darryl M. Woo

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Attorneys for Defendants  
INTERCEDE GROUP PLC AND INTERCEDE  
LTD

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**ORDER**

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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Date: 4/10/09

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The Honorable Vaughn R. Walker  
UNITED STATES DISTRICT JUDGE

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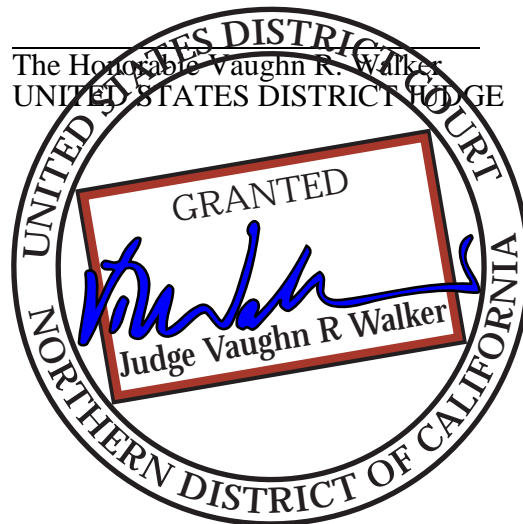
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1 I, Ariana M. Chung-Han, am the ECF User whose identification and password are being  
2 used to file the **STIPULATION TO EXTEND TIME FOR DEFENDANTS TO RESPOND**  
3 **TO THE COMPLAINT.** In compliance with General Order 45.X.B, I hereby attest that Darryl  
4 M. Woo has concurred in this filing.

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Dated: April \_\_, 2009

WILSON SONSINI GOODRICH & ROSATI

By: \_\_\_\_\_  
Ariana M. Chung-Han

Attorneys for Plaintiff  
ACTIVIDENTITY CORPORATION