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23 MORRISON & FOERSTER LLP AND MARIA DE MARTINI

24 IN THE UNITED STATES DISTRICT COURT
25 FOR THE NORTHERN DISTRICT OF CALIFORNIA

26 GORDON ERSPAMER,) CASE NO. C08-04692 MMC (JL)
27)
28 Plaintiff,)
29) **STIPULATION AND [PROPOSED]**
30) **ORDER RE DEFENDANT'S**
31 v.) **AMENDED REPLY BRIEF AND**
32) **RELATED FILINGS**
33 MORRISON & FOERSTER LLP LONG TERM)
34 DISABILITY PLAN,)
35)
36 Defendant.)

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1 Defendant Morrison & Foerster LLP Long Term Disability Plan (“Defendant”) and
2 Nonparties Morrison & Foerster LLP and Maria De Martini, by and through their respective
3 attorneys of record, Douglas Hendricks, Esq. and Philip Besirof, Esq., of Morrison & Foerster
4 LLP, and Tad A. Devlin, Esq. of Gordon & Rees LLP, hereby stipulate to the following:

5 On January 5, 2011, Defendant filed in reply to Nonparties Morrison & Foerster LLP’s
6 and Maria De Martini’s Opposition to Defendant’s Motion to Enforce Subpoenas and Compel
7 Production of Documents:

8 (1) Defendant’s Memorandum of Points and Authorities In Support of Defendant’s Reply
9 to Nonparties Morrison & Foerster LLP’s and Maria De Martini’s Opposition to Defendant’s
10 Motion to Enforce Subpoenas and Compel Production of Documents (which was thirteen (13)
11 pages in total length), with the supporting Declaration of Tad A. Devlin,

12 (2) Defendant’s Written Objections, Responses, and Request to Strike the Declaration of
13 Douglas Hendricks in Support of Nonparties Morrison & Foerster LLP’s and Maria De Martini’s
14 Opposition to Defendant’s Motion to Enforce Subpoenas and Compel Production of Documents,
15 and

16 (3) Defendant’s Written Objections and Request to Strike the Declaration of Shamir
17 Colloff in Support of Nonparties Morrison & Foerster LLP’s and Maria De Martini’s Opposition
18 to Defendant’s Motion to Enforce Subpoenas and Compel Production of Documents.

19 Nonparties Morrison & Foerster LLP and Maria De Martini contend that pursuant to
20 Local Rule 7-3(c), the documents referred to as (2) and (3) above should have been incorporated
21 in the Defendant’s memorandum in support of the reply brief, and not filed as separate
22 documents.

23 To avoid the necessity of litigating the separate document issue, Defendant and
24 Nonparties Morrison & Foerster LLP and Maria De Martini agree Defendant will withdraw the
25 documents (2) and (3) referred to above, incorporate them into Defendant’s Amended
26 Memorandum of Points and Authorities In Support of Defendant’s Reply to Nonparties Morrison
27 & Foerster LLP’s and Maria De Martini’s Opposition to Defendant’s Motion to Enforce
28 Subpoenas and Compel Production of Documents, not to exceed the fifteen (15) page limit for

1 the Memorandum as set forth in USDC ND Local Rule 7-3(c), which will be re filed with this
2 Court.

3 It is so stipulated.

4 Dated: January 10, 2011

GORDON & REES LLP

7 By: /s/ Tad A. Devlin

8 Tad A. Devlin
9 Shannon L. Ross
10 Caraine R. Leon Guerrero
11 Attorneys for Defendant
12 MORRISON & FOERSTER LLP LONG
13 TERM DISABILITY PLAN

14 Dated: January 10, 2011


MORRISON & FOERSTER LLP

15 By: /s/ Philip Besirof

16 Douglas Hendricks
17 Philip Besirof
18 Attorneys for Nonparties
19 MORRISON & FOERSTER LLP AND
20 MARIA DE MARTINI

21 PURSUANT TO STIPULATION, IT IS SO ORDERED that Defendant will withdraw
22 the documents (2) and (3) referred to in the above stipulation, incorporate them into Defendant's
23 Amended Memorandum of Points and Authorities In Support of Defendant's Reply to
24 Nonparties Morrison & Foerster LLP's and Maria De Martini's Opposition to Defendant's
25 Motion to Enforce Subpoenas and Compel Production of Documents, not to exceed the fifteen
26 (15) page limit for the Memorandum as set forth in USDC ND Local Rule 7-3(c), which will be
27 re filed with this Court.

28 Dated: January 12, 2011


The Honorable James L. Larson
UNITED STATES MAGISTRATE JUDGE

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275 Battery Street, Suite 2000
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