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11 Attorneys for Defendants  
 12 UNIX SURPLUS AND JOHN BODO.

13  
 14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO

17 SUN MICROSYSTEMS, INC.,  
 18 Plaintiff,  
 19 v.  
 20 UNIX SURPLUS, an entity of unknown form;  
 JOHN BODO, an individual; AND DOES 1-10,  
 21 Defendants.

CASE NO.: CV 08-05416 WHA

**JOINT STIPULATION AND  
 [PROPOSED] ORDER EXTENDING  
 TIME FOR FILING ADR  
 CERTIFICATION AND  
 RESCHEDULING CASE  
 MANAGEMENT CONFERENCE**

The Honorable William H. Alsup

1           WHEREAS the parties to this litigation, Plaintiff SUN MICROSYSTEMS, INC.  
2 and Defendants UNIX SURPLUS and JOHN BODO (collectively “the parties”) have been  
3 actively engaged in good faith settlement negotiations; and

4           WHEREAS the parties agree that an additional two weeks time will likely enable  
5 them to reach agreement to resolve this matter without additional expenditure of this Court’s  
6 time;

7           WHEREAS the deadline for holding the Rule 26(f) conference is February 20,  
8 2009;

9           WHEREAS the deadline for filing the ADR Certification and the ADR Stipulation  
10 or Notice of Need is February 20, 2009;

11           WHEREAS the deadline for filing a Rule 26(f) Report is March 6, 2009;

12           WHEREAS the Case Management Conference is set for March 12, 2009;

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1                    THEREFORE, IT IS STIPULATED AND AGREED by Plaintiff and Defendants,  
2 through their respective counsel of record, as follows:

3                    (1) The deadline for holding the Rule 26(f) conference shall be extended to March  
4 6, 2009;

5                    (2) The deadline for filing the ADR Certification and the ADR Stipulation or  
6 Notice of Need shall be extended to March 6, 2009;

7                    (3) The deadline for filing a Rule 26(f) Report shall be extended to March 20,  
8 2009; and

9                    (4) The Case Management Conference is rescheduled for March 27, 2009.

10                   IT IS SO STIPULATED.

11  
12 DATED: February 19, 2009

13 By: \_\_\_\_\_/s/ \_\_\_\_\_

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20 *Attorneys for Plaintiff*  
21 **SUN MICROSYSTEMS, INC.**

22 By: \_\_\_\_\_/s/ \_\_\_\_\_

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*Attorneys for Defendants*  
**UNIX SURPLUS AND JOHN BODO.**

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I, Megan Dixon, am the ECF User whose ID and password are being used to file this Joint Stipulation and [Proposed] Order Extending Time For Filing ADR Certification and Rescheduling Case Management Conference. In compliance with General Order 45, X.B., I hereby attest that Richard F. Cauley has concurred in this filing.

DATED: February 19, 2009

HOGAN & HARTSON LLP

By \_\_\_\_\_ /s/  
Megan Dixon

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~~PROPOSED~~ ORDER

Upon reading and considering the stipulation of the parties and good cause appearing,


IT IS HEREBY ORDERED that:

1. The deadlines for holding the Rule 26(f) conference and for filing the ADR Certification, ADR Stipulation or Notice of Need, and Rule 26(f) Report are hereby modified and the Case Management Conference is rescheduled.
2. The parties shall hold a Rule 26(f) conference by March 6, 2009.
3. The parties shall file an ADR Certification and an ADR Stipulation or Notice of Need by March 6, 2009.
4. The parties shall file a Rule 26(f) Report by March 20, 2009.
5. The Case Management Conference is rescheduled for March 27, 2009.

There will be no further continuances.

Dated: February 19 , 2009

The Honorable  
U.S. District Judge William A. Alsup



A circular stamp from the United States District Court, Northern District of California, is placed over the signature. The stamp contains the word 'APPROVED' in a red box and the name 'Judge William Alsup' below it. The signature 'Wm Alsup' is written in blue ink over the stamp.