

1 Greg L. Lippetz (State Bar No. 154228)
 glippetz@jonesday.com
 2 Cora L. Schmid (State Bar No. 237267)
 cschmid@jonesday.com
 3 JONES DAY
 1755 Embarcadero Road
 4 Palo Alto, CA 94303
 Telephone: 650-739-3939
 5 Facsimile: 650-739-3900

David N. Kuhn (State Bar No. 73389)
 Attorney-at-Law
 144 Hagar Avenue
 Piedmont, CA 94611
 Telephone: (510) 653-4983
 E-mail: dnkuhn@pacbell.net
 Attorney for Plaintiff Gregory Bender

6 Attorneys for Defendant Maxim
 Integrated Products, Inc.
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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 Gregory Bender,
 12 Plaintiff,
 13 v.
 14 Maxim Integrated Products, Inc.,
 15 Defendant.

Case No. C09-01152-SI

**STIPULATION AND [PROPOSED]
 ORDER TO RESCHEDULE MOTION
 HEARING**

17 Pursuant to Civil L.R. 7-7(b), Defendant Maxim Integrated Products, Inc., (“Defendant”) and Plaintiff Gregory Bender (“Plaintiff”), through their respective counsel, hereby stipulate to
 18 reschedule the hearing date for Defendant’s Motion For Sanction Of Dismissal, currently
 19 scheduled for July 9, 2010 at 9 a.m., to July 30, 2010 at 9 a.m.
 20

21 WHEREAS, on June 18, 2010, Plaintiff filed his Memorandum In Opposition To Motion
 22 For Sanctions together with supporting declarations of Sergio Franco, Ph.D., Kenneth Pedrotti,
 23 Ph.D, and Plaintiff Gregory Bender. (Docket Nos. 60-63.)

24 WHEREAS, Defendant believes that deposing declarant Sergio Franco, Ph.D., will
 25 provide evidence that is relevant to the Court’s consideration of Dr. Franco’s declaration, and has
 26 served Plaintiff with a notice of deposition of Dr. Franco.

27 WHEREAS, Plaintiff has not yet been able to provide Dr. Franco’s availability for
 28 deposition.

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WHEREAS, the parties believe that the Defendant’s reply brief and the hearing on Defendant’s Motion for Sanction of Dismissal should be delayed by three weeks to allow time for the deposition of Dr. Franco.

THE PARTIES HEREBY SUBMIT THIS STIPULATION THAT:

The Court hearing date for Defendant’s Motion For Sanction of Dismissal be rescheduled from July 9, 2010 at 9 a.m. to July 30, 2010 at 9 a.m.

