

townsend.

1 TOWNSEND AND TOWNSEND AND CREW LLP
 PAUL W. VAPNEK (State Bar No. 36576)
 2 MARC M. GORELNIK (State Bar No. 166833)
 DAVID SCHNAPF (State Bar No. 100199)
 3 MEGAN M. CHUNG (State Bar No. 232044)
 Two Embarcadero Center, Eighth Floor
 4 San Francisco, CA 94111
 Telephone: (415) 576-0200
 5 Facsimile: (415) 576-0300
 Email: pwvapnek@townsend.com
 6 Email: mmgorelnik@townsend.com
 Email: dschnapf@townsend.com
 7 Email: mmchung@townsend.com

8 Attorneys for Plaintiff and Counterdefendant
 9 Z-LINE DESIGNS, INC.

10 JONES DAY
 ARTHUR S. BEEMAN (State Bar No.237996)
 11 PAMELA K. FULMER (State Bar No. 154736)
 NOEL RODRIGUEZ (State Bar No. 228784)
 12 M. ANDERSON BERRY (State Bar No. 262879)
 555 California Street, 26th Floor
 13 San Francisco, CA 94104
 Telephone: (415) 626-3939
 14 Facsimile: (415) 875-5700
 Email: asbeeman@jonesday.com
 15 Email: pkfulmer@jonesday.com
 Email: nrodriguez@jonesday.com
 16 Email: aberry@jonesday.com

17 Attorneys for Defendant and Counterclaimant
 18 PLANET 3, LLC

19 UNITED STATES DISTRICT COURT
 20 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 21 SAN FRANCISCO DIVISION

22 Z-LINE DESIGNS, INC.,

23 Plaintiff,

24 v.

25 PLANET 3, LLC,

26 Defendant.

27 AND RELATED COUNTERCLAIMS.

Case No. CV-09-1153 MHP

**FOURTH JOINT STIPULATION
 AND ~~PROPOSED~~ ORDER FOR
 MODIFICATION OF CASE
 MANAGEMENT SCHEDULE AND
 TRIAL DATE**

Judge: Honorable Marilyn Hall Patel

1 WHEREAS, Z-Line Designs, Inc. (“Z-Line” or “Plaintiff”) and Defendant Planet 3, LLC
2 (“Planet 3” or “Defendant”) are engaged in settlement discussions, which respective counsel believe
3 will lead to a final resolution of this matter;

4 WHEREAS, the parties have reached a settlement-in-principle and are working to
5 memorialize the terms of the settlement, with a written draft in circulation;

6 WHEREAS, the parties, mindful of this Court’s interest in having this case resolved, and
7 confident of the parties’ ability to resolve this matter, are diligently working to reach a settlement.
8 However, given the approaching close of fact discovery, the parties require additional time;

9 WHEREAS, counsel for the parties believe that an additional thirty (30) day suspension of
10 applicable deadlines in this case will allow the parties and counsel to continue to devote their
11 attention and resources to a final resolution of this matter.

12 WHEREAS, three previous suspensions have been sought by the parties;

13 ACCORDINGLY, the parties, by and through their undersigned counsel, HEREBY
14 STIPULATE as follows:

15 In order to avoid prejudicing the parties’ discovery efforts and trial preparations, and to
16 allow the parties to focus on settlement negotiations, the parties agree and respectfully request that
17 the current pre-trial schedule be modified as follows:

- 18 1. The fact discovery cut-off, which is currently set for May 7, 2010, is extended to
19 June 6, 2010.
- 20 2. The deadline to designate experts, which is currently set for June 4, 2010 is extended
21 to July 4, 2010.
- 22 3. The deadline to designate rebuttal experts, which is currently set for July 9, 2010, is
23 extended to August 8, 2010.
- 24 4. The expert discovery cut-off, which is currently set for August 6, 2010, is extended
25 to September 5, 2010.
- 26 5. The hearing on dispositive motions, which is currently set for October 4, 2010, is
27 reset for November 8, 2010, at 2:00 p.m., or as soon thereafter as the Court’s schedule permits.
- 28 6. The pretrial conference, which is currently set for November 11, 2010, is adjourned

