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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

**FIFTH 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 June 6, 2010, is extended to  
19 July 6, 2010.
- 20 2. The deadline to designate experts, which is currently set for July 4, 2010 is extended  
21 to August 3, 2010.
- 22 3. The deadline to designate rebuttal experts, which is currently set for August 8, 2010,  
23 is extended to September 7, 2010.
- 24 4. The expert discovery cut-off, which is currently set for September 5, 2010, is  
25 extended to October 5, 2010.
- 26 5. The hearing on dispositive motions, which is currently set for November 8, 2010, is  
27 reset for December 6, 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 December 16, 2010, is adjourned

