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10 Attorneys for Defendant and Third-Party Plaintiff
 11 AUDIENCE IDENTIFICATION, INC.

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 VISA U.S.A. INC.,

15 Plaintiff,

16 vs.

17 AUDIENCE IDENTIFICATION INC.,

18 Defendant, Third-party plaintiff

19 AUDIENCE IDENTIFICATION INC.,

20 Third-Party Plaintiff

21 vs.

22 U. S. BANK, NATIONAL
 23 ASSOCIATION,

24 Third-party defendant.

CASE NO. CV 09 1176 SI

STIPULATION AND [PROPOSED]
 ORDER RE EXTENSION OF TIME
 RE: EXCHANGE OF EXPERT
 WITNESS DESIGNATIONS

Complaint Filed: March 17, 2009
 Trial Date: September 13, 2010

STIPULATION

WHEREAS,

A. The above-captioned matter is currently set for trial on September 13, 2010;

1 B. The current date for the exchange of expert witness disclosures is April 30, 2010,
2 as set forth in Judge Illston's pre-trial order of February 8, 2010 [Doc 54];

3 C. The current date for the disclosure of rebuttal expert witnesses is May 17, 2010,
4 as set forth in Judge Illston's pre-trial order of February 8, 2010 [Doc 54];

5 D. The parties herein are still engaged in depositions of parties and percipient
6 witnesses, and discovery regarding the electronically stored evidence which is the subject of
7 this case, and the parties wish to complete this discovery before they have to retain and
8 disclose their experts;

9 THEREFORE, all named parties herein, by and through their respective attorneys
10 of records, hereby stipulate and request the Court to order as follows:

11 1. That the deadline for the exchange of expert witness designations shall be
12 extended to and including May 17, 2010.

13 2. That the deadline for exchange of rebuttal expert witness designations shall be
14 extended to June 1, 2010.

15 3. All other dates and deadlines set by the court and/or as triggered by the filing of
16 this complaint pursuant to Federal Rules of Civil Procedure and Local Rules shall not be
17 affected by this extension of time to designate expert witnesses.

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19 Dated: April 19, 2010

FARBSTEIN & BLACKMAN
A Professional Corporation

//s//

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22 JOHN S. BLACKMAN¹
Attorneys for Defendant and
Third-Party Plaintiff

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27 ¹As the e-filer, I attest that each of the signatories hereto has concurred in the filing
28 of this document.

1 Dated: April 19, 2010

FARELLA BRAUN & MARTEL, LLP

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//s//

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EUGENE Y. MAR
Attorneys for Plaintiff

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5 Dated: April 19, 2010

REED SMITH, LLP

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//s//

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DAVID REIDY
Attorneys for Third-Party Defendant

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ORDER

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14 THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED.

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17 DATED: _____

HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE

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PROOF OF SERVICE
VISA U.S.A., INC. V. AUDIENCE IDENTIFICATION, INC.
United States District Court, Northern District of California Case no. CV 09 1176 SI

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. I am employed in the office of a member of the bar of this court at whose direction the service was made. My business address is 411 Borel Avenue, Suite 425, San Mateo, California 94402-3518. My electronic notification address is stf@farbstein.com. On April 19, 2010, I served the following document(s):

STIPULATION AND [PROPOSED] ORDER RE EXTENSION OF TIME RE:
EXCHANGE AND REBUTTAL OF EXPERT WITNESS DESIGNATIONS

on the following person(s) by the method(s) indicated below:

Robert Holtzapple, Esq.
Eugene Mar, Esq.
Farella Braun + Martel LLP
Russ Building
235 Montgomery Street, 17th floor
San Francisco, California 94104

Donald Rubenstein, Esq.
David Reidy, Esq.
Reed Smith LLP
101 Second Street, Suite 1800
San Francisco, CA 94105-3659

by transmitting via facsimile on this date from fax number (650) 554-6240 the document(s) listed above to the fax number(s) set forth herein. The transmission was completed before 5:00 p.m. and was reported complete and without error. The transmission report is attached to this proof of service. Service by fax was made by agreement of the parties confirmed in writing.

by placing the document(s) listed above in a sealed envelope(s) with postage thereon fully prepaid, for deposit in the United States mail at San Mateo, California addressed as set forth herein. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day, with postage thereon fully prepaid in the ordinary course of business.

by transmitting the document(s) listed above via the Court's ECF system to the persons at the email address(es) set forth herein. The transmission was completed before 5:00 p.m. and was reported complete and without error.

I declare under penalty of perjury under the laws of the United States and the State of California that the above is true and correct. Executed at San Mateo, California, on April 19, 2010.

//s//

SUZANNE T. FARBSTEIN