

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 Nokia Inc.

7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

11 Gregory Bender,

12 Plaintiff,

13 v.

14 Nokia Inc.,

15 Defendant.

Case No. C09-01247 MMC

**STIPULATION AND ~~PROPOSED~~  
 ORDER RESCHEDULING CASE  
 MANAGEMENT CONFERENCE**

16  
 17 Pursuant to Civil L.R. 16-2(e), Defendant Nokia Inc. (“Defendant”) and Plaintiff Gregory  
 18 Bender (“Plaintiff”) through their respective counsel, hereby request the Court change the date for  
 19 the Further Case Management Conference currently scheduled for March 19, 2010, to May 7,  
 20 2010, or anytime thereafter.

21 WHEREAS, pursuant to the December 11, 2009 Order After Hearing in this action (D.I.  
 22 37), a Further Case Management Conference in this action is scheduled for March 19, 2010, at  
 23 10:30 a.m.

24 WHEREAS, Plaintiff served his infringement contentions in this action on January 8,  
 25 2010.

26 WHEREAS, the parties disagree regarding the sufficiency of Plaintiff’s infringement  
 27 contentions, and Defendant intends to file a motion to resolve this dispute.

1           WHEREAS, the outcome of the parties' dispute regarding infringement contentions will  
2 impact the schedule for this case, which is to be discussed at the Further Case Management  
3 Conference.

4           WHEREAS, in the interests of efficiency and of avoiding potentially unnecessary  
5 expenses, the parties believe that the Further Case Management Conference that is currently  
6 scheduled for March 19, 2010, should be rescheduled to May 7, 2010, or anytime thereafter.

7  
8 THE PARTIES HEREBY STIPULATE THAT:

9           The Further Case Management Conference in this action that is currently scheduled for  
10 March 19, 2010, at 10:30 a.m. is continued to May 7, 2010, at 10:30 a.m., or anytime thereafter.

11  
12 Dated: March 12, 2010

Respectfully submitted,

Jones Day

13  
14  
15 By:           /s/ Gregory Lippetz          

16 Greg L. Lippetz  
17 State Bar No. 154228  
18 JONES DAY  
19 Silicon Valley Office  
1755 Embarcadero Road  
Palo Alto, CA 94303  
Telephone: 650-739-3939  
Facsimile:650-739-3900

20 Counsel for Defendant Nokia Inc.

21  
22 In accordance with General Order No. 45, Section X(B), the above signatory attests that  
23 concurrence in the filing of this document has been obtained from the signatory below.

24 Dated: March 12, 2010

By:           /s/ David Kuhn          

25 David N. Kuhn  
26 Attorney-at-Law  
27 144 Hagar Avenue  
Piedmont, California 94611  
Telephone: (510) 653-4983


28 Counsel for Plaintiff Gregory Bender

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**

The Case Management Conference is CONTINUED to May 7, 2010. A Joint Case Management Statement shall be filed no later than April 30, 2010.

DATED: March 15, 2010

By:   
THE HON. MAXINE M. CHENEY  
United States District Court Judge

SVI-78684v1