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 15 CISCO SYSTEMS, INC.

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

18 CISCO SYSTEMS, INC.,

19 Plaintiff,

20 v.

21 TELECONFERENCE SYSTEMS, LLC and
 22 MARGALLA COMMUNICATIONS, INC.,

23 Defendants.

Case No. C 09-01550 JSW

JOINT STIPULATION AND ~~PROPOSED~~
 ORDER REGARDING EARLY
 SETTLEMENT CONFERENCE BEFORE
 MAGISTRATE JUDGE JOSEPH C.
 SPERO

Hon. Jeffrey S. White

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 JOINT STIPULATION AND ~~PROPOSED~~ ORDER
 REGARDING EARLY SETTLEMENT
 CONFERENCE

Case No. C 09-01550 JSW

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WHEREFORE, pursuant to Civil L.R. 16-8(c) and ADR L.R. 3-5(c), counsel met and conferred regarding ADR and filed a Notice of Need for ADR Phone Conference on August 10, 2009;

WHEREFORE, the parties believe that an early settlement conference before Hon. Magistrate Judge Joseph C. Spero is likely to be the most productive vehicle for ADR and the complexity and character of this litigation make it especially well-suited for such an ADR option;

WHEREFORE, Magistrate Judge Spero has confirmed his availability to conduct an early settlement conference between the parties; and

WHEREFORE, the parties seek the Court's approval and referral for such a conference with Magistrate Judge Spero.

NOW THEREFORE IT IS HEREBY STIPULATED BETWEEN THE PARTIES that, subject to the Court's approval, the parties will agree to participate in an early settlement conference before Magistrate Judge Spero within the next 180 days.

This stipulation is without prejudice to any of the parties' present jurisdictional motions and/or present and future motions to stay or to transfer this matter and/or the related matter in the United States District Court in Delaware.

Dated: August 13, 2009

THE SIMON LAW FIRM, P.C.

By: /s/ Anthony G. Simon

ANTHONY G. SIMON
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Attorneys for Defendants

Dated: August 13, 2009

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By: /s/ Edward R. Reines

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PROPOSED ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to an early settlement conference before Magistrate Judge Joseph C. Spero, to take place within the next 180 days.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: August 14, 2009


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE