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QUINN EMANUEL URQUHART
& SULLIVAN, LLP
Robert P. Feldman (Bar No. 69602)
bobfeldman@quinnemanuel.com
Gabriel S. Gross (Bar No. 254672)
gabegross@quinnemanuel.com
555 Twin Dolphin Drive, 5th Floor
Redwood Shores, California 94065-2139
Telephone: (650) 801-5000
Facsimile: (650) 801-5100
Attorneys for Defendants Aliph, Inc. and
Aliphcom, Inc.

CONFLUENCE LAW PARTNERS
David C. Bohrer (Bar No. 212397)
dbohrer@confluencelaw.com
60 South Market Street, Suite 1400
San Jose, California 95113-2396
Telephone: (408) 938-3882
Facsimile: (408) 971-4332

CONNOLLY BOVE LODGE & HUTZ LLP
Bruce G. Chapman (Bar No. 164258)
bchapman@cblh.com
Keith D. Fraser (Bar No. 216279)
kfraser@cblh.com
333 S. Grand Avenue, Suite 2300
Los Angeles, California 90071
Telephone: (213) 787-2500
Facsimile: (213) 687-0498

Attorneys for Plaintiff Plantronics, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PLANTRONICS, INC.,
Plaintiff,
vs.
ALIPH, INC. and ALIPHCOM, INC.,
Defendants.

CASE NO. 3:09-CV-01714-BZ
**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING DISCOVERY
DISPUTES**

1 **STIPULATION AND [PROPOSED] ORDER**

2 WHEREAS, a hearing regarding the parties' pending discovery disputes at which both
3 parties were represented by counsel was held December 14, 2011;

4 WHEREAS, the parties have continued to meet and confer over issues raised at the
5 hearing;

6 NOW THEREFORE, the parties stipulate and agree to the following:

7 1. Plaintiff shall have until noon on December 19, 2011, to produce additional
8 documents or information, if any, related to the discovery requests and interrogatories referenced
9 in Defendants' letter (Document No. 165) consistent with Judge Zimmerman's rulings at the
10 hearing. Defendants reserve the right to object to any new or supplemented discovery beyond the
11 scope of discovery permitted by this Order and applicable rules.

12 2. Defendant has provided Plaintiff with Bates ranges associated with the Requests for
13 Admission referenced in its letter (Document No. 166).

14 3. The parties have met and conferred about the genuineness of documents at issue in
15 Defendant's Requests for Admission Nos. 42-77, to which Plaintiff shall provide supplemental
16 responses, and have made a record as follows:

17 (a) the parties agree and stipulate to the genuineness of the documents at issue
18 in Request Nos. 50, 58, 60, 62, 64, 66, 68, 70, 72, and 76;

19 (b) Aliph withdraws Request Nos. 44, 46, 48, 52, and 74;

20 (c) Plantronics objects to the genuineness of the documents at issue in Request
21 Nos. 42, 54, and 56;

22 (d) Aliph has leave to provide additional information about the three disputed
23 documents in an effort to resolve any remaining objections over genuineness before trial.

24 The parties having recorded their remaining disputes over genuineness of these documents, neither
25 party need contact chambers about appearing on December 20, 2011, at 9:00 a.m. to make a record
26 of the disputes.

27 4. Plaintiff shall respond to Requests for Admission Nos. 42-167 by January 4, 2012.
28

1 5. Plaintiff's request for leave to file a protective order (Document No. 161) is
2 DENIED.

3 6. No later than April 1, 2012, the parties may file a list of questions for the Interim
4 Pretrial Conference, scheduled for April 10, 2012 at 2 p.m.

5
6 **IT IS SO STIPULATED.**

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8 DATED: December 19, 2011

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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11 By /s/Gabriel S. Gross

Gabriel S. Gross
Attorneys for Defendants
ALIPH, INC., and ALIPHCOM, INC.

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14 DATED: December 19, 2011


CONFLUENCE LAW PARTNERS

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17 By /s/David C. Bohrer

David C. Bohrer
Attorneys for Plaintiff
PLANTRONICS, INC.

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20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21
22 DATED: 20 Dec '11



Hon. Bernard Zimmerman
United States Magistrate Judge