

1 RICHARD T. WHITE #58622  
 DAWN NEWTON #209002  
 2 SARA N. PASQUINELLI #233512  
 FITZGERALD ABBOTT & BEARDSLEY LLP  
 3 1221 Broadway, 21<sup>st</sup> Floor  
 Oakland, California 94612  
 4 Telephone: (510) 451-3300  
 Facsimile: (510) 451-1527  
 5 Email: rwhite@fablaw.com;  
 dnewton@fablaw.com; spasinelli@fablaw.com  
 6

7 Attorneys for Plaintiff YottaMark, Inc

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

10 YOTTAMARK, INC., a California  
 corporation,  
 11  
 Plaintiff,  
 12  
 vs.  
 13  
 14 TRACEGAINS, INC., a Colorado  
 corporation, BRADLEY LONG, an  
 15 individual, and DOES 1 through 25 inclusive,  
 16  
 Defendants.

Case No.: C09-03055 CRB

**STIPULATED EXTENSION OF  
 STIPULATION AND PRELIMINARY  
 INJUNCTION AND ORDER TO STAY  
 ENTIRE MATTER PENDING  
 SETTLEMENT DISCUSSIONS**

17  
 18 WHEREAS, Plaintiff YottaMark, Inc. ("YottaMark" or "Plaintiff") filed a lawsuit in the  
 19 above-captioned case against Defendants TraceGains, Inc. ("TraceGains") and Bradley Long  
 20 ("Long") (collectively referred to hereinafter as "Defendants") on July 7, 2009;

21 WHEREAS, on July 13, 2009, the court entered the Parties' Stipulation and Preliminary  
 22 Injunction and Order to Stay Entire Matter Pending Settlement Discussions;

23 WHEREAS, the Parties have been engaged in ongoing settlement discussions;

24 WHEREAS, the Parties agree to a brief extension to allow for conclusion of those  
 25 settlement discussions;

26 ///  
 27 '

1 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY AND  
2 AMONG THE UNDERSIGNED ON BEHALF OF THEIR RESPECTIVE CLIENTS AS  
3 FOLLOWS:

4 1. Certain provisions of the Stipulation and Preliminary Injunction and Order to  
5 Stay Entire Matter Pending Settlement Discussions, are scheduled to expire on September 30,  
6 2009;

7 2. The Parties may require at least an additional 15 days to conclude those  
8 discussions in a final settlement; and

9 3. The Parties agree to extend all terms through and including October 15, 2009.

10  
11 September 14, 2009

FITZGERALD ABBOTT & BEARDSLEY LLP

12 By Richard T. White  
13 Richard T. White  
14 Attorneys for Plaintiff YottaMark, Inc.

15  
16 September 11, 2009

HIXSON NAGATANI LLP

17 By Raymond H. Hixson, Jr.  
18 Raymond H. Hixson, Jr.  
19 Attorneys for Defendant TraceGains, Inc.  
20 Attorneys for AgInfoLink Global, Inc.

21 September 11, 2009

CARR & FERRELL LLP

22 By Stuart C. Clark  
23 Stuart C. Clark  
24 Attorneys for Defendant Bradley Long

**ORDER**

25 **IT IS SO ORDERED.**

26 Dated: September 16, 2009

United States  
2

27  
28 STIPULATED EXTENSION OF STIPULATION AND P  
ORDER TO STAY ENTIRE MATTER PENDING SET  
NO.: C09-0305

