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9 Attorney for Defendant
10 SUNWARE COMPUTER INC.

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

10	SUN MICROSYSTEMS, INC.,)	Case No. C 09-03564 MHP
11	a Delaware corporation,)	
12)	STIPULATION AND [PROPOSED]
13)	ORDER EXTENDING SUNWARE
14	vs.)	COMPUTER INC.'S TIME TO ANSWER
15)	COMPLAINT AND EXTENDING
16	SUNWARE COMPUTER, INC.,)	INITIAL CASE MANAGEMENT
17	a California corporation,)	CONFERENCE AND ADR DEADLINES
18)	[Fed. R. Civ. P. 6(b)]
19)	
20	Defendant.)	

21 Plaintiff Sun Microsystems, Inc. filed its Complaint for Damages and Injunctive Relief
22 on August 4, 2009 against Sunware Computer, Inc.

23 Plaintiff served Sunware Computer Inc. on August 6, 2009. The proof of service has
24 not been filed yet. Accordingly, Defendant Sunware Computer, Inc. has until August 26, 2009,
25 to respond to Plaintiff's Complaint.

STIPULATION AND [PROPOSED] ORDER EXTENDING DEFENDANT'S TIME TO ANSWER
COMPLAINT AND EXTENDING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES
CASE NO. C 09-03564 MHP

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1 On August 14, 2009 Defendant Sunware Computer, Inc. retained The Law Office of
2 Anne Hiaring to represent it in this matter.

3 On August 14, 2009, counsel for Defendant discussed this litigation with counsel for
4 Plaintiff, and discussed the deadline for Defendant Sunware Computer, Inc. to file its answer to
5 Plaintiff's complaint and agreed to a 30-day extension.
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8 **I. DEFENDANT'S TIME TO ANSWER**

9 The parties stipulate and respectfully request that the time within which Defendant may
10 respond to the Complaint filed by Plaintiff will be extended by this Court from August 26,
11 2009 to September 25, 2009 or such date as this Court may order.

12 The parties believe good cause exists for the Court to grant an extension of time for
13 Sunware Computer, Inc. to respond to Plaintiff's Complaint because of discussions regarding
14 resolution of the action.
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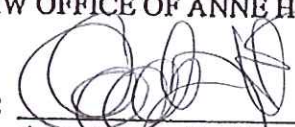
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17 **II. CASE MANAGEMENT AND ALTERNATIVE DISPUTE RESOLUTION**
18 **DEADLINES**

19 The parties further stipulate and respectfully request that this Court also extend by thirty
20 (30) days, or as soon thereafter as the Court deems convenient, the initial case management and
21 alternative dispute resolution deadlines as set forth in this Court's Order dated August 4, 2009
22 as follows:
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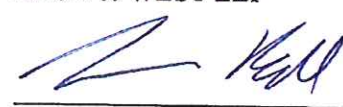
- 1 1. Last day to meet and confer re: initial disclosures, early settlement, ADR process
- 2 selection, and discovery plan; file joint ADR Certification with Stiputation to ADR Process or
- 3 notice of Need for ADR Phone conference is extended to November 25, 2009;
- 4 2. Last day to complete initial disclosures or state objection in Rule 26(f) Report, file Case
- 5 Management Statement and file/serve Rule 26(f) Report is extended to December 9, 2009; and
- 6 3. Case Management Conference (CMC) in Courtroom 15, 18th Floor, San Francisco at
- 7 4:00 p.m. is extended to December 16, 2009.

9 The parties believe good cause exists for the Court to grant an extension of time of the
 10 case management and alternative dispute resolution deadlines because of discussions regarding
 11 resolution of the action.

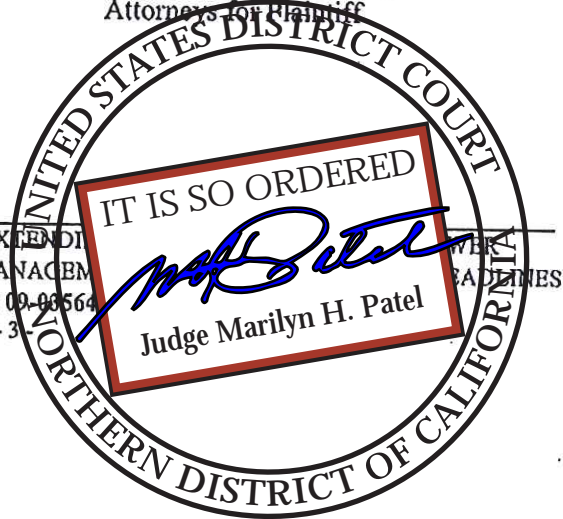
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 15 DATED: 8.19.09

Respectfully Submitted,
 LAW OFFICE OF ANNE HIARING
 By: 
 Anne Haring Hocking, Esq.
 Kristin DeLa Vega, Esq.
 Attorneys for Defendant

19 STIPULATED TO
 20 DATED: 8/19/09

FENWICK & WEST LLP
 By: 
 Eric Ball, Esq.
 Jedediah Wakefield, Esq.
 Attorneys for Plaintiff

23 IT IS SO ORDERED. 8/20/2009



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DATED: _____

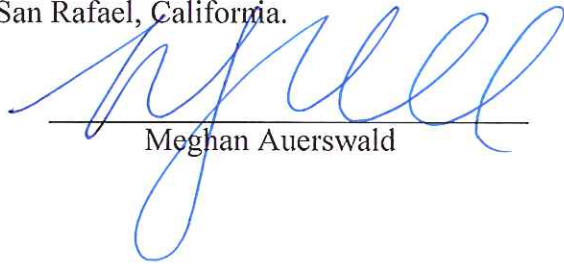
By: _____
HON. MARILYN HALL PATEL
United States District Court Judge

STIPULATION AND [PROPOSED] ORDER EXTENDING DEFENDANT'S TIME TO ANSWER
COMPLAINT AND EXTENDING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES
CASE NO. C 09-03564 MHP

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— State: I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed this 19 day of August, 2009 at San Rafael, California.



Meghan Auerswald