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17 **DOCMAGIC, INC.**

18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**
20 **SAN FRANCISCO DIVISION**
21

22 DOCMAGIC, INC., a California
23 corporation.,

24 Plaintiff,

25 v.

26 ELLIE MAE, INC., a Delaware,

27 Defendant.

28 AND RELATED COUNTERCLAIM

Case No. 3:09-cv-4017-EMC

**JOINT STIPULATION TO VACATE
JANUARY 15, 2012 DEADLINE FOR
COMPLETION OF FACT DISCOVERY
AND [~~PROPOSED~~] ORDER**

ORDER SETTING CMC

JOINT STIPULATION
TO VACATE DISCOVERY DEADLINE
Case No.: 3:09-cv-4017-EMC

1 Pursuant to Civil Local Rules 6-1, 6-2, and 7-12, Plaintiff DocMagic, Inc. ("DocMagic"),
2 and Defendant, Ellie Mae, Inc. ("Ellie Mae"), by and through their respective counsel, hereby
3 stipulate and request that the January 15, 2012 fact discovery cutoff be vacated.

4 As explained in the accompanying Declaration of Noah A. Brumfield, this change in the
5 discovery schedule set May 16, 2011 by Judge Marilyn Hall Patel is proposed in order to enable
6 DocMagic and Ellie Mae to complete the documentation of a settlement agreement reached
7 during mediation before the Honorable Edward A. Infante.

8 It is hereby stipulated and agreed by and through the undersigned attorneys for Ellie Mae
9 and DocMagic, subject to the Court's approval, that the January 15, 2012 fact discovery cutoff
10 ordered by Judge Patel on May 16, 2011 shall be vacated. It is further stipulated and agreed that
11 the Court should set a case management conference in this matter for February 1, 2012, or as soon
12 thereafter as the Court's schedule permits.

13
14 **IT IS SO STIPULATED.**
15
16

17 Dated: December 14, 2011

WHITE & CASE LLP

19 By: /s/ Noah A. Brumfield
20 Noah A. Brumfield

21 Attorneys for Defendant/Counter-Claimant
22 ELLIE MAE, INC.

23 Dated: December 14, 2011

MORRISON & FOERSTER LLP

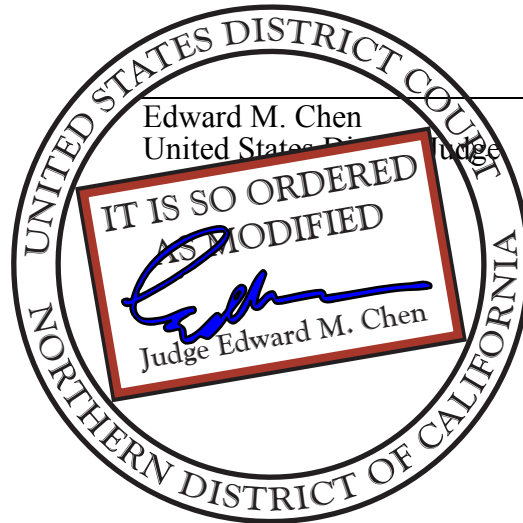
25 By: /s/ Stuart C. Plunkett
26 Stuart C. Plunkett

27 Attorneys for Plaintiff/Counter-Defendant
28 DOCMAGIC, INC.

PURSUANT TO STIPULATION, IT IS ORDERED:

The Court has read and considered the parties' stipulation and orders that the January 15, 2012 fact discovery cutoff ordered by Judge Patel on May 16, 2011 shall be vacated. A CMC is set for 2/10/12 at 9:00 a.m. An updated joint CMC Statement shall be filed by 2/3/12.

Dated: 12/19/11



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By: /s/ Noah A. Brumfield
Noah A. Brumfield

Attorneys for Defendant/Counterclaimant
ELLIE MAE, INC.