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8 Attorneys for Plaintiff/Counter-Defendant
 DOCMAGIC, INC.

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

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

14 DOCMAGIC, INC., a California corporation,
 15
 16 Plaintiff,
 17 v.
 18 ELLIE MAE, INC., a Delaware corporation,
 19 Defendant.

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

**SUPPLEMENTAL JOINT CASE
 MANAGEMENT STATEMENT**

Hon. Edward M. Chen

ORDER RESETTING CMC

20 AND RELATED COUNTERCLAIM

1 Pursuant to Local Rule 16-9 and the Court's February 3, 2012 order, Plaintiff/Counter-
2 Defendant DocMagic, Inc. ("DocMagic") and Defendant/Counter-Claimant Ellie Mae, Inc.
3 ("Ellie Mae"), respectfully submit this supplement to the Joint Case Management Statement filed
4 on December 31, 2009 (Dkt. No. 24), and the Supplemental Joint Case Management Statements
5 filed on April 12, 2010 (Dkt. No. 32), May 9, 2011 (Dkt. No. 130), and June 21, 2011 (Dkt. No.
6 133).

7 **I. Status of Settlement Discussions**

8 The parties are currently in the process of finalizing documentation of a settlement
9 agreement reached during mediation before the Honorable Edward A. Infante. Finalizing the
10 settlement documents has taken longer than expected, but the parties continue to negotiate in
11 good faith and anticipate that the settlement will be finalized. The parties respectfully suggest
12 that the Court may want to continue the March 9, 2012 Case Management Conference in light of
13 these circumstances.

14 **II. Status of Case Schedule/Request for Order of Continuance**

15 Judge Patel set the following discovery limits and cutoffs at the May 16, 2011 Case
16 Management Conference (Dkt. 131):

- 17 (a) Fact discovery to be completed by January 15, 2012;
- 18 (b) No more than six experts, with reports due not later than March 15, 2012;
- 19 (c) Rebuttal expert reports due not later than April 30, 2012;
- 20 (d) Expert discovery cutoff not later than May 31, 2012;
- 21 (e) Non-expert depositions limited to 15 per side;
- 22 (f) Requests for production limited to 25 additional per side.

23 Pursuant to the parties' stipulation, the Court vacated the January 15, 2012, discovery
24 cutoff (Dkt. 135). The parties will seek, either at the Case Management Conference or by
25 stipulation if the conference is continued, an order vacating the remaining upcoming deadlines.

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Dated: March 2, 2012

MORRISON & FOERSTER LLP

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

Attorneys for
Plaintiff/Counterdefendant
DOCMAGIC, INC.

Dated: March 2, 2012

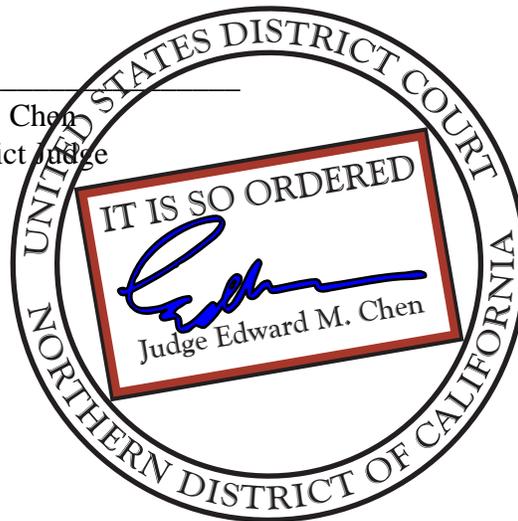
WHITE & CASE LLP

By: /s/ Ellen McGinty King
Ellen McGinty King

Attorneys for
Defendant/Counterclaimant
ELLIE MAE, INC.

IT IS SO ORDERED that the CMC is reset from 3/9/12 to 6/8/12 at 9:00 a.m. A joint CMC statement shall be filed by 6/1/12.

Edward M. Chen
U. S. District Judge



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ATTESTATION PURSUANT TO GENERAL ORDER 45 X.B.

I, Stuart C. Plunkett, am the ECF User whose ID and password are being used to file this Supplemental Joint Management Conference Statement. In compliance with General Order 45, X.B., I hereby attest that Ellen McGinty King has concurred in this filing.

Dated: March 2, 2012

MORRISON & FOERSTER LLP

/s/ Stuart C. Plunkett
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