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7 Attorneys for Plaintiff,  
 SPEEDTRACK, INC.,  
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9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12 SPEEDTRACK, INC., )

13 Plaintiff, )

14 vs. )

15 AMAZON.COM, INC.; COSTCO )  
 WHOLESALE CORPORATION; 1-800- )  
 16 FLOWERS.COM, INC.; )  
 BARNESANDNOBLE.COM, LLC; )  
 17 BARNESANDNOBLE.COM, INC.; THE )  
 HOME DEPOT, INC.; NIKE, INC.; )  
 18 NORTHERN TOOL & EQUIPMENT )  
 CATALOG CO., INC.; J & R )  
 19 ELECTRONICS, INC.; DELL, INC.; BEST )  
 BUY CO.; BEST BUY.COM, LLC; )  
 20 SYSTEMAX, INC.; OFFICEMAX, INC.; )  
 MACY'S, INC.; MACYS.COM, INC.; )  
 21 OVERSTOCK.COM, INC.; )  
 RECREATIONAL EQUIPMENT, INC.; )  
 22 VALUE VISION INTERNATIONAL, INC., )  
 DBA SHOPNBC.COM; B & H FOTO & )  
 23 ELECTRONICS CORP.; HEWLETT- )  
 PACKARD COMPANY; REDCATS USA, )  
 24 INC.; RETAIL CONVERGENCE, INC., )  
 DBA SMARTBARGAINS.COM, )

25 Defendants. )  
 26 )

Case No.09-CV-04479-JSW

**STIPULATED REQUEST FOR ORDER  
 EXTENDING TIME FOR DEFENDANT  
 NORTHERN TOOL & EQUIPMENT  
 CATALOG COMPANY, INC. TO  
 ANSWER OR OTHERWISE RESPOND  
 TO THE COMPLAINT**

[CIVIL LOCAL RULE 6-2]

JUDGE: Hon. Jeffrey S. White

Hennigan, Bennett & Dorman llp  
 lawyers  
 los angeles, california

1 WHEREAS, Plaintiff SpeedTrack, Inc. ("SpeedTrack") filed this action for infringement of  
2 SpeedTrack's U.S. Patent No. 5,544,360 ("the '360 patent") on September 23, 2009;

3 WHEREAS, SpeedTrack has served its Complaint on Defendant Northern Tool &  
4 Equipment Catalog Company, Inc. ("Northern Tool") on October 2, 2009;

5 WHEREAS, SpeedTrack and Northern Tool previously filed a stipulation under Local Rule  
6 6-1(A) on October 23, 2009 (Docket No. 41) agreeing to extend the time for Northern Tool to  
7 answer or otherwise respond to SpeedTrack's Complaint by 30 days to November 23, 2009;

8 WHEREAS, in view of the above-recited circumstances, SpeedTrack and each Defendant to  
9 this action including Northern Tool have filed a Joint Stipulation on November 16, 2009 asking the  
10 Court to stay this litigation until such time as both (i) the reexamination of the '360 patent is  
11 resolved and (ii) judgment in the Wal-Mart Action or an order dismissing the Wal-Mart Action is  
12 entered (Docket No. 48);

13 WHEREAS, the resolution of both the reexamination of the '360 patent and Wal-Mart  
14 Action may substantially narrow the issues involved in this action;

15 WHEREAS, Northern Tool has requested an extension of time to respond to SpeedTrack's  
16 Complaint until at least 21 days after the date of the Court's Order lifting any stay that may be  
17 granted in this action, without prejudice to Northern Tool seeking further extensions as appropriate;

18 WHEREAS, Northern Tool's request for an extension is not made for the purpose of delay;

19 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties through  
20 their respective counsel of record, THAT:

21 The date by which Northern Tool must answer or otherwise respond to SpeedTrack's  
22 Complaint shall be extended as follows: If the Court grants a stay of this litigation pursuant to the  
23 parties' Joint Stipulation or otherwise, then Northern Tool shall have 21 days to answer or otherwise  
24 respond to SpeedTrack's Complaint from the date of the Court's order lifting the stay, without  
25 prejudice to Northern Tool seeking further extensions as appropriate. If the Court denies the parties'  
26 request to stay, then Northern Tool shall have 21 days to answer or otherwise respond from the date  
27 of the Court's order, without prejudice to Northern Tool seeking further extensions as appropriate.  
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Hennigan, Bennett & Dorman LLP  
lawyers  
Los Angeles, California

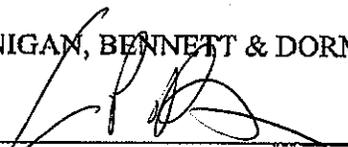
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SO STIPULATED.

DATED: November 20, 2009

HENNIGAN, BENNETT & DORMAN LLP

By

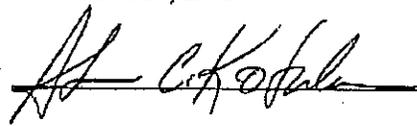
  
Rodcrick G. Dorman  
Alan P. Block  
Marc Morris  
Omer Salik

Attorneys for Plaintiff,  
SPEEDTRACK, INC.,

DATED: November 20, 2009

NORTHERN TOOL & EQUIPMENT  
CATALOG CO., INC.

By



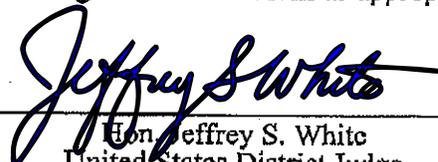
~~Proposed~~ Order

PURSUANT TO STIPULATION, IT IS SO ORDERED:

The date by which Northern Tool must answer or otherwise respond to SpeedTrack's Complaint shall be extended as follows: If the Court grants a stay of this litigation pursuant to the parties' Joint Stipulation or otherwise, then Northern Tool shall have 21 days to answer or otherwise respond to SpeedTrack's Complaint from the date of the Court's order lifting the stay, without prejudice to Northern Tool seeking further extensions as appropriate. If the Court denies the parties' request to stay, then Northern Tool shall have 21 days to answer or otherwise respond from the date of the Court's order, without prejudice to Northern Tool seeking further extensions as appropriate.

DATED: November 30, 2009

By

  
Hon. Jeffrey S. White  
United States District Judge

Hennigan, Bennett & Dorman LLP  
Attorneys  
Los Angeles, California