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 8

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

12 SPEEDTRACK, INC.,)

Case No.09-CV-04479-JSW

13 Plaintiff,)

14 vs.)

**STIPULATED REQUEST FOR ORDER
 EXTENDING TIME FOR DEFENDANT
 RECREATIONAL EQUIPMENT, INC. TO
 ANSWER OR OTHERWISE RESPOND
 TO THE COMPLAINT**

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,)

[CIVIL LOCAL RULE 6-2]

JUDGE: Hon. Jeffrey S. White

25 Defendants.)
 26)

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 Recreational Equipment,
4 Inc. ("REI") on October 1, 2009;

5 WHEREAS, SpeedTrack and REI previously filed a stipulation under Local Rule 6-1(A) on
6 October 20, 2009 (Docket No. 29) agreeing to extend the time for REI to answer or otherwise
7 respond to SpeedTrack's Complaint by 30 days to November 20, 2009;

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

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

14 WHEREAS, the Court has not yet acted on the parties' Joint Stipulation to stay;

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

18 WHEREAS, REI'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 REI must answer or otherwise respond to SpeedTrack's Complaint shall
22 be extended as follows: If the Court grants a stay of this litigation pursuant to the parties' Joint
23 Stipulation or otherwise, then REI shall have 21 days to answer or otherwise respond to
24 SpeedTrack's Complaint from the date of the Court's order lifting the stay, without prejudice to REI
25 seeking further extensions as appropriate. If the Court denies the parties' request to stay, then REI
26 shall have 21 days to answer or otherwise respond from the date of the Court's order, without
27 prejudice to REI seeking further extensions as appropriate.

HENNIGAN, BENNETT & DORMAN LLP
LAWERS
LOS ANGELES, CALIFORNIA

1 SO STIPULATED.

2 DATED: November 19, 2009

HENNIGAN, BENNETT & DORMAN LLP

3
4 By /s/ [Signature]
Roderick G. Dorman
Alan P. Block
Marc Morris
Omer Salik

5
6
7 Attorneys for Plaintiff,
SPEEDTRACK, INC.,

8 DATED: November 19, 2009

K & L GATES

9
10 By /s/ [Signature]
Cristofer I. Leffler

11 Attorneys for Defendant,
RECREATIONAL EQUIPMENT, INC.

12
13
14 **[Proposed] Order**

15 PURSUANT TO STIPULATION, IT IS SO ORDERED:

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

23 DATED: November 30, 2009

24 By [Signature]
Hon. Jeffrey S. White
United States District Judge

HENNIGAN, BENNETT & DORMAN LLP
LAWYERS
LOS ANGELES, CALIFORNIA