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7 Attorneys for Plaintiff,
 SPEEDTRACK, INC.,
 8

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)
 16 WHOLESALE CORPORATION; 1-800-)
 FLOWERS.COM, INC.;)
 17 BARNESANDNOBLE.COM, LLC;)
 BARNESANDNOBLE.COM, INC.; THE)
 18 HOME DEPOT, INC.; NIKE, INC.;)
 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)

26 Defendants.)

Case No.09-CV-04479-JSW)

13)
 14) **STIPULATED REQUEST FOR ORDER**
 15) **EXTENDING TIME FOR DEFENDANTS**
 16) **BARNESANDNOBLE.COM, INC. AND**
 17) **BARNESANDNOBLE.COM, LLC TO**
 18) **ANSWER OR OTHERWISE RESPOND**
 19) **TO THE COMPLAINT**

20 [CIVIL LOCAL RULE 6-2]

21 JUDGE: Hon. Jeffrey S. White

Hennigan, Bennett & Dorman LLP
 lawyers
 Los Angeles, California

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 Defendants Barnesandnoble.com, Inc.
4 and Barnesandnoble.com, LLC ("Barnes & Noble") on October 5, 2009;

5 WHEREAS, SpeedTrack and Barnes & Noble previously filed a stipulation under Local
6 Rule 6-1(A) on October 20, 2009 (Docket No. 27) agreeing to extend the time for Barnes & Noble
7 to answer or otherwise respond to SpeedTrack's Complaint by 30 days to November 25, 2009;

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

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

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, Barnes & Noble 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 Barnes & Noble seeking further extensions as
18 appropriate;

19 WHEREAS, Barnes & Noble's request for an extension is not made for the purpose of delay;

20 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, THAT:

21 The date by which Barnes & Noble 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 Barnes & Noble shall have 21 days to answer or
24 otherwise respond to SpeedTrack's Complaint from the date of the Court's order lifting the stay,
25 without prejudice to Barnes & Noble seeking further extensions as appropriate. If the Court denies
26 the parties' request to stay, then Barnes & Noble shall have 21 days to answer or otherwise respond
27 from the date of the Court's order, without prejudice to Barnes & Noble seeking further extensions

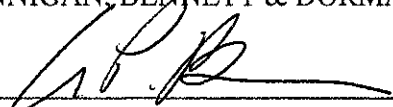
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1 as appropriate.

2 SO STIPULATED.

3 DATED: November 23, 2009

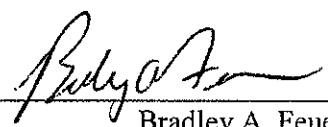
HENNIGAN, BENNETT & DORMAN LLP

4 By 

5 Roderick G. Dorman
6 Alan P. Block
7 Marc Morris
8 Omer Salik

9 Attorneys for Plaintiff,
10 SPEEDTRACK, INC.,

11 DATED: November 23, 2009

12 By 

13 Bradley A. Feuer


14 BARNESANDNOBLE.COM, INC. AND
15 BARNESANDNOBLE.COM, LLC

16 ~~Proposed~~ Order

17 PURSUANT TO STIPULATION, IT IS SO ORDERED:

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

26 DATED: November 30, 2009

27 By 
28 Hon. Jeffrey S. White
United States District Judge

Hennigan, Bennett & Dorman LLP
Los Angeles, California