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10 Attorneys for Defendant,
 WHITE OAK TECHNOLOGIES, INC.
 11

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14

15 BMMSOFT, INC.,

16 Plaintiff,

17 v.

18 WHITE OAKS TECHNOLOGY, INC. and
 DOES 1-10;

19 Defendants.
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CASE NO. CV 09-04562 MMC

**STIPULATION AND ~~(PROPOSED)~~
 ORDER FOR TELEPHONIC
 APPEARANCE BY PARTIES AT
 INITIAL CASE MANAGEMENT
 CONFERENCE**

The Honorable Maxine M. Chesney
 Action Filed: September 28, 2009
 Trial Date: None Set

24 **WHEREAS**, by Order dated November 24, 2009, the Court set the date for the Initial
 25 Case Management Conference as Friday, March 5, 2010;

26 **WHEREAS**, Shlomo D. Katz, counsel for Defendant WHITE OAK TECHNOLOGIES,
 27 INC., is located in Washington D.C. and observes the Jewish Sabbath beginning at sunset on
 28 Fridays and ending Saturday night, which observance includes not traveling on the Sabbath;

1 **WHEREAS**, Defendant's counsel would therefore have to remain in a hotel or other
2 accommodations in the San Francisco area for his entire Sabbath observance if he appeared in
3 person at the Case Management Conference on a Friday;

4 **WHEREAS**, Defendant's counsel asked Plaintiff's counsel to participate in the Initial
5 Case Management Conference by telephone to accommodate Defendant's counsel's travel
6 restrictions;

7 **IT IS HEREBY STIPULATED**, by and between the parties, through their respective
8 counsel that the parties agree to participate in the Initial Case Management Conference by
9 telephone

10 DATED: February 22, 2010

EPSTEIN BECKER & GREEN, P.C.

11 By: /s/ Lisa Caccavo
12 William A. Helvestine
Lisa Caccavo

13 Attorneys for Defendant
14 WHITE OAK TECHNOLOGIES, INC.

15 DATED: February 22, 2010

BROWN RUDNICK, LLP

16 By: /s/ Shlomo D. Katz
17 Shlomo D. Katz
[admitted *pro hac vice*]

18 Attorneys for Defendant
19 WHITE OAK TECHNOLOGIES, INC.

20 DATED: February 22, 2010

NARANCIC & KATZMAN, PC

21 By: /s/ Perry J. Narancic
22 Perry J. Narancic

23 Attorney for Plaintiff
24 BMMSOFT, INC.

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ORDER

shall
Pursuant to the Stipulation above, the parties ~~may~~ participate in the Initial Case Management Conference, scheduled for March 5, 2010, by telephone.

IT IS SO ORDERED.

Dated: February 23, 2010


The Honorable Maxine M. Chesney
UNITED STATES DISTRICT JUDGE