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7 Attorneys for Defendants
 MATT LOCKWOOD, an individual, and dba
 8 www.discountmountainsoftware.com;
 DISCOUNT MOUNTAIN, INC.
 9

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

14 ADOBE SYSTEMS INCORPORATED,
 15 Plaintiff,

16 v.

17 MATT LOCKWOOD, an individual and dba
www.discountmountainsoftware.com;
 18 DISCOUNT MOUNTAIN, INC.; and DOES 1
 through 10, inclusive,
 19 Defendants.
 20

CASE NO. C09-05165 CRB

**STIPULATION POSTPONING
 AND RESCHEDULING DATES;
 ORDER**

21 Counsel for Plaintiff ADOBE SYSTEMS INCORPORATED and Defendants MATT
 22 LOCKWOOD, dba www.discountmountainsoftware.com, and DISCOUNT MOUNTAIN, INC.,
 23 hereby STIPULATE as follows:

24 WHEREAS, at the Further Case Management Conference on July 23, 2010, this Court set
 25 a trial date of January 24, 2011;

26 WHEREAS, the parties have diligently engaged in discovery during the duration of this
 27 case;

28 WHEREAS, Defendants have tendered the defense to their insurance carrier and it is the

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**STIPULATION
 CASE NO. C09-05165 CRB**

1 understanding of counsel from coverage counsel that it is imminent that the insurance carrier is
2 going to agree to accept the defense of this case;

3 WHEREAS, the parties agree that it will take the insurance carrier between 30 and 60
4 days to make a determination regarding its position regarding a settlement contribution;

5 WHEREAS, by agreement of counsel, fact discovery is set to close on October 15, 2010;

6 WHEREAS, the parties believe that a brief extension of the fact discovery deadline for
7 60 days to December 15, 2010, would allow the parties to negotiate a settlement, participate in a
8 mediation and avoid the costs of numerous depositions;

9 WHEREAS, the parties believe that, with the brief extension of the discovery deadline, it
10 makes sense to briefly postpone the trial date 60 days to the end of March 2011.

11 THEREFORE, the parties hereto, through their counsel of record, stipulate as follows:

- 12 1. That the fact discovery deadline is extended to December 15, 2010;
- 13 2. That the expert disclosure date is set for January 3, 2011;
- 14 3. That the Pre-Trial Conference is continued to February 2011; and
- 15 4. That the trial date be continued 60 days to the end of March 2011 or the beginning
16 of April 2011.

17 **IT IS SO STIPULATED:**

18 Dated: September 10, 2010

TINGLEY PIONTKOWSKI LLP

19
20 By: /s/ Bruce Piontkowski

BRUCE C. PIONTKOWSKI
Attorneys for Defendants

21
22
23 Dated: September 10, 2010

J. ANDREW COOMBS, A.P.C.

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25 By: /s/ Annie Wang

J. ANDREW COOMBS
ANNIE S. WANG
Attorneys for Plaintiff

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ORDER

Based upon the forgoing, IT IS SO ORDERED THAT:

1. The fact discovery deadline is extended to December 15, 2010;
2. That the expert disclosure date is set for January 3, 2011;
3. That the pretrial conference date is set for March 22, 2011, at 2:30 p.m.;
4. That the trial date is set for April 04, 2011, at 8:30 p.m.

DATED: September 10, 2010

