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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  
 13

14 ADOBE SYSTEMS INCORPORATED,  
 15 Plaintiff,

16 v.

17 MATT LOCKWOOD, an individual and dba  
[www.discountmountainsoftware.com](http://www.discountmountainsoftware.com);  
 18 DISCOUNT MOUNTAIN, INC.; and DOES 1  
 through 10, inclusive,  
 19 Defendants.  
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CASE NO. C09-05165 CRB (DMR)

**STIPULATION POSTPONING  
 AND RESCHEDULING HEARING  
 DATE; 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, currently, Plaintiffs' Motion to Compel Discovery Responses and Motion for  
 25 Attorney's Fees are set to be heard on December 23, 2010, at 11:00 a.m.

26 WHEREAS, currently, Defendants' Motion to Quash Subpoena on Wells Fargo Bank,  
 27 N.A., is set to be heard on December 23, 2010, at 11:00 a.m.;

28 WHEREAS, though the motions have been fully briefed, and no further briefing is

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

1 required, the parties desire more time to resolve these disputes and attempt to resolve the case;

2 WHEREAS, the parties agreed to continue the date of the hearings to January 6, 2011, but  
3 have been informed by the Court that the Court's calendar is full on January 6, 2011, and that the  
4 hearings should instead be conducted at 11:00 a.m. on January 13, 2011.

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

6 1. That the hearings on all three motions be postponed to 11:00 a.m. on  
7 January 13, 2011.

8 **IT IS SO STIPULATED:**

9 Dated: December 21, 2010

TINGLEY PIONTKOWSKI LLP

11 By: /s/ Jonathan McMahon

12 BRUCE C. PIONTKOWSKI  
13 JONATHAN A. MCMAHON  
Attorneys for Defendants

14 Dated: December 21, 2010

J. ANDREW COOMBS, A.P.C.

17 By: /s/ Annie Wang

18 J. ANDREW COOMBS  
19 ANNIE S. WANG  
Attorneys for Plaintiff

20 **ORDER**

21 Based upon the forgoing, IT IS SO ORDERED THAT:

- 22 1. Plaintiff's Motion to Compel is postponed to January 13, 2011, at 11:00 a.m.;
- 23 2. Plaintiff's Motion for Attorney's Fees is postponed to January 13, 2011, at  
24 11:00 a.m.;
- 25 3. Defendants' Motion to Quash Subpoena on Wells Fargo Bank, N.A. is postponed  
26 to January 13, 2011, at 11:00 a.m.;
- 27 4. The hearings currently set for December 23, 2010, at 11:00 a.m., are hereby  
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vacated.

**IT IS SO ORDERED.**

DATED: Dec. 22, 2010



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U.S. MAGISTRATE JUDGE