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6	Attorneys for Plaintiff Adobe					
7	Systems Incorporated					
8						
9	UNITED STATES DISTRICT COURT					
10	NORTHERN DISTRICT OF CALIFO	RNIA (SAN FRANCISCO DIVISION)				
11	Adobe Systems Incorporated,	) Case No. C09-5166 SC				
12	Plaintiff, v.	) ) REQUEST TO CONTINUE CASE ) MANAGEMENT CONFERENCE				
13 14	Claude Marku, an individual and d/b/a www.nikknak.com and Does 1 through 10, inclusive,	) ) )				
15 16	Defendants.	/ ) )				
17	PLAINTIFF Adobe Systems Incorporated	("Adobe" or "Plaintiff"), by and through its				
18	counsel of record, Nicole L. Drey, of J. Andrew Coombs, A P.C., hereby requests as follows:					
19	WHEREAS the Court set the Scheduling (	Conference in the above-captioned matter for				
20	February 19, 2010, at 10:00 a.m.;	L				
21	WHEREAS Defendant has not yet been properly served with Summons and Complaint;					
22	WHEREAS Plaintiff served Defendant by certified mail in or about November 2009 but					
23	received an unsigned return receipt;					
24	WHEREAS counsel for Defendant first contacted Plaintiff on or about December 7, 2009,					
25						
26	and agreed to a waiver of service, but Plaintiff has not received the signed waiver back from					
27	Defendant's counsel or heard from Defendant or his counsel since that initial communication,					
28	despite several follow-up attempts;					
-	Adobe v. Marku: Request to Cont. CMC - 1	[-				

1 2 3 4 5 6 7	<ul> <li>WHEREAS Plaintiff has re-sent service to Defendant by certified mail and is awaiting the return receipt;</li> <li>WHEREAS Plaintiff anticipates proceeding with default, due to Defendant's lack of communication, once proper service has been effected;</li> <li>WHEREAS there have been no prior continuances requested by the Parties; and NOW, THEREFORE, Plaintiff requests that the Case Management Conference in the above captioned matter be continued until June 18, 2010, or a date thereafter acceptable to the Court.</li> </ul>			
8 9	Dated: January 26, 2010J. Andrew Coombs, A Professional Corp.			
10 11 12 13	By: <u>/s/ Nicole L. Drey</u> J. Andrew Coombs Nicole L. Drey Attorneys for Plaintiff Adobe Systems Incorporated			
14	-[PROPOSED] ORDER			
15 16 17	PURSUANT TO REQUEST, IT IS SO ORDERED that the Case Management Conference set for February 19, 2010 is continued to Wednesday, June 16, 2010 at 10:00 a.m.			
18 19 20 21	DATED: January 27_, 2010			
22 23	DISTRICT OF CENT			
24 25				
26 27				
28	Adobe v. Marku: Request to Cont. CMC - 2 -			