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11 Attorneys for Defendant
 12 APPLE INC.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16 MITCHELL PRUST,

17 Plaintiff,

18 v.

19 APPLE INC.,

20 Defendant.

Case No. 09-05241 (EDL)

**STIPULATION CONTINUING CASE
 MANAGEMENT CONFERENCE FROM
 FEBRUARY 9, 2010 TO FEBRUARY 23,
 2010 AND ~~PROPOSED~~ ORDER**

[Proposed Date:] February 23, 2010
Original Date: February 9, 2010
Time: 10:00 a.m.
Ctrm: E
Judge: Hon. Elizabeth D. Laporte

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 24 Pursuant to Civil L.R. 6-2 plaintiff Mitchell Prust and defendant Apple Inc. stipulate as
 25 follows:

26 WHEREAS, a Case Management Conference was originally scheduled in this matter for
 27 February 9, 2010.

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WHEREAS, lead counsel for plaintiff will be travelling internationally on that date and is unavailable to appear.

NOW THEREFORE, IT IS HEREBY STIPULATED, by and between the parties hereto, through their respective counsel of record, that:

1. The Case Management Conference currently scheduled for 10:00 a.m. on February 9, 2010 should be continued to 10:00 a.m. on February 23, 2010, or to such date that the Court may order;

2. The Joint Case Management Statement should be due on February 16, 2010; and

3. The last day for parties to Meet and Confer under Rule 26(f) should be January 27, 2010.

DATED: January 14, 2010

THE LANIER LAW FIRM, P.C.

By /s/
Christopher D. Banys
Counsel for Plaintiff
Mitchell Prust

DATED: January 14, 2010

Morrison & Foerster LLP

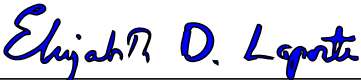
By /s/
Rudy Y. Kim
Counsel for Defendant
Apple Inc.

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PURSUANT TO STIPULATION, IT IS ORDERED THAT:

1. The Case Management Conference currently scheduled for 10:00 a.m. on February 9, 2010 shall be continued to 10:00 a.m. on February 23, 2010;
2. The Joint Case Management Statement shall be due on February 16, 2010; and
3. The last day for parties to Meet and Confer under Rule 26(f) shall be January 27, 2010.

Dated: January 14, 2010



The Honorable Elizabeth D. Laporte
United States Magistrate Judge