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16 Attorneys for Defendant and Counterclaimant
 17 APPLE INC.

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 19 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 20 SAN FRANCISCO DIVISION

21 MITCHELL PRUST,
 22 Plaintiff,
 23 v.
 24 APPLE INC.,
 25 Defendant.
 26 AND RELATED COUNTERCLAIMS

Case No. 3:09-cv-05241-EDL

**STIPULATION AND ~~PROPOSED~~
 ORDER CONTINUING CASE
 MANAGEMENT CONFERENCE**

1 The parties, through their respective undersigned counsel, hereby stipulate pursuant to
2 Local Rules 6-2 and 7-12 as follows:

3 WHEREAS, an initial case management conference was held before the Court on
4 February 23, 2010;

5 WHEREAS, on February 24, 2010, the Court issued a case management scheduling order
6 setting the next case management conference for June 8, 2010 at 10 a.m.;

7 WHEREAS, the parties have met and conferred and agree that a later case management
8 conference would be more productive and beneficial for both parties;

9 WHEREAS, this is the first requested extension regarding this deadline and continuing the
10 case management conference would not affect the schedule for the case;

11 IT IS HEREBY STIPULATED that:

12 (1) The case management conference currently scheduled for June 8, 2010 should be
13 continued to ~~July 6, 2010 at 10 a.m.~~ July 13, 2010 at 4:00 p.m., or as soon thereafter as is convenient for the Court;

14 (2) The updated joint case management statement should be filed at least one week
15 before the continued case management conference.

16 Dated: June 2, 2010

THE LANIER LAW FIRM, P.C.

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18 By: /s/Christopher D. Banys
CHRISTOPHER D. BANYS

19 Attorneys for Plaintiff and Counterdefendant
20 MITCHELL PRUST

21 Dated: June 2, 2010

MORRISON & FOERSTER LLP

22 By: /s/Rudy Y. Kim
23 RUDY Y. KIM

24 Attorneys for Defendant and Counterclaimant
25 APPLE INC.

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1 I, Rudy Y. Kim, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Continuing Case Management Conference. In compliance with
3 General Order 45, X.B., I hereby attest that Christopher D. Banys has concurred in this filing.

4 Dated: June 2, 2010

MORRISON & FOERSTER LLP

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By: /s/Rudy Y. Kim
RUDY Y. KIM

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Attorneys for Defendant and
Counterclaimant APPLE INC.

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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Dated: June 3, 2010

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Elizabeth D. Laporte

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THE HON. ELIZABETH D. LAPORTE
UNITED STATES MAGISTRATE JUDGE

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STIPULATION AND [PROPOSED] ORDER CONTINUING CMC