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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

DATA RETRIEVAL TECHNOLOGY LLC, a  
 Delaware Corporation,

Plaintiff,

v.

SYBASE, INC., a Delaware corporation, and  
 INFORMATICA CORPORATION, a Delaware  
 Corporation,

Defendants

AND RELATED COUNTERCLAIMS.

Case No. C 09-05360 VRW  
 Related Case No.: C08-05481 VRW  
 Related Case No.: C09-1909 VRW

**STIPULATION AND ~~PROPOSED~~  
 ORDER AMENDING CLAIM  
 CONSTRUCTION BRIEFING SCHEDULE**

[Civil Local Rule 6-2]

**RECITALS**

The parties to the above-captioned matter, Data Retrieval Technology LLC ("DRT"),  
 Sybase, Inc. and Informatica Corporation, in an effort to resolve claim construction issues to the  
 fullest extent possible, conducted extensive discussions over a period of weeks. The parties have

1 further agreed to amend the claim construction briefing schedule as set forth below. Under the new  
2 schedule, the briefs will be filed more than two weeks prior to the claim construction hearing date  
3 on November 2, 2010 and will not affect the claim construction hearing date or any other scheduled  
4 matters in the case.

5  
6 **STIPULATION**

7 The parties to the above-captioned matter, Data Retrieval Technology LLC ("DRT"),  
8 Sybase, Inc. and Informatica Corporation hereby stipulate to the following schedule changes.

9	Previous Schedule	New Schedule
10 DRT Opening Brief	9/16/2010	9/24/2010
11 Sybase/Informatica Response	10/1/2010	10/8/2010
12 DRT Reply	10/7/2010	10/15/2010

13  
14 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD

15  
16 DATED: September 10, 2010.

17 REED SMITH LLP

18 By: /s/ James A. Daire  
19 John P. Bovich (SBN 150688)  
20 Jonah D. Mitchell (SBN 203511)  
21 James A. Daire (SBN 239637)  
Attorneys for Sybase, Inc. and Informatica Corporation

22  
23 DATED: September 10, 2010

ROHDE & VAN KAMPEN PLLC

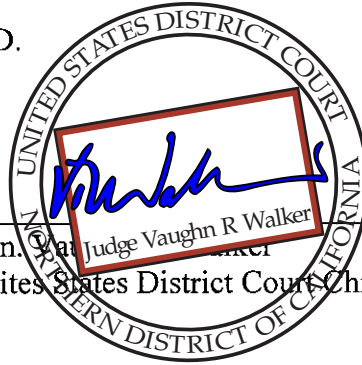
24 By: /s/Robert E. Rohde  
25 Robert E. Rohde  
26 (Washington State Bar No. 12809)  
Gregory G. Schwartz (Cal. SBN 206134)  
Attorneys for Data Retrieval Technology LLC

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2 DATED: September 14, 2010.

3 By

4 Hon. Judge Vaughn R. Walker  
5 United States District Court Chief Judge



6  
7  
8  
9 CERTIFICATE OF SIGNATURE ASSESTATION

10 I hereby attest that concurrence in the filing of this document has been obtained by the  
11 above named signatories.

12  
13 /s/ Robert E. Rohde  
14 Robert E. Rohde

**PROOF OF SERVICE**

I, Nikki Kustok, declare:

I am a citizen of the United States and a resident of King County, State of Washington. I am over the age of 18 years and not a party to the within action. My business address is 1001 Fourth Avenue, Suite 4050, Seattle, Washington 98154.

On the date shown below, I caused to be served the foregoing **STIPULATION AND [PROPOSED] ORDER AMENDING CLAIM CONSTRUCTION BRIEFING SCHEDULE** via

CM/ECF: I hereby certify that on this 10th day of September, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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*Jonah D. Mitchell*  
*James A. Daire*  
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*jdaire@reedsmith.com*

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at Seattle, Washington on this 10<sup>th</sup> of September, 2010.

  
 Nikki Kustok