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11 Attorneys for Defendant and Counterclaim Plaintiff
 12 YAHOO! INC.

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

16 AUGME TECHNOLOGIES, INC.,

17 Plaintiff,

18 v.

19 YAHOO! INC.,

20 Defendant.

Case No. C-09-5386 JCS

**STIPULATION AND
 [PROPOSED] ORDER
 EXTENDING CLAIM
 CONSTRUCTION BRIEFING
 AND DISCOVERY DATES RE:
 YAHOO! PATENTS**

Hon. Joseph C. Spero

22 YAHOO! INC.,

23 Counterclaim Plaintiff,

24 v.

25 AUGME TECHNOLOGIES, INC. and WORLD
 26 TALK RADIO, LLC,

27 Counterclaim Defendants.

1 Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, the parties, through their
2 undersigned counsel, hereby stipulate, subject to the Court’s approval, as follows:

3 WHEREAS, the Court entered a Further Case Management and Pretrial Order (“CMC
4 Order”) on April 19, 2011, setting dates for claim construction briefing and setting an August 8,
5 2011 cut-off for claim construction discovery regarding the Yahoo! Patents (Dkt. No. 136 at 2);

6 WHEREAS, due to commitments to other cases, Yahoo!’s claim construction expert, Dr.
7 Gary Nutt, is unavailable for deposition until the week of September 12, 2011;

8 WHEREAS, the parties have stipulated to extend the claim construction briefing and
9 discovery deadlines as set forth in the table below to permit Augme and World Talk Radio to
10 depose Dr. Nutt prior to filing their responsive brief;

11 WHEREAS, no *Markman* hearing has been set for the Yahoo! patents;

12 WHEREAS, no other deadlines will be affected by this extension;

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1 THEREFORE, for the reasons set forth more fully in the accompanying Declaration of J.
 2 Ryan Gilfoil, the parties request the entry of an order extending the claim construction briefing
 3 and discovery deadlines regarding the Yahoo! Patents as set forth in the table below.

Event	Present Date	Proposed Date
Claim Construction Discovery Cut-Off	August 8, 2011	September 16, 2011
Yahoo!'s Opening <i>Markman</i> Brief	August 22, 2011	August 29, 2011
Augme and World Talk Radio's Responsive Brief	September 6, 2011	September 27, 2011
Yahoo!'s Reply Brief	September 13, 2011	October 11, 2011

11
 12 Dated: July 28, 2011

MORRISON & FOERSTER LLP

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 14 By: /s/ Richard S.J. Hung

15 Richard S.J. Hung

16 Attorneys for Defendant and
 17 Counterclaim Plaintiff
 YAHOO! INC.

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 19 Dated: July 28, 2011

GOODWIN PROCTER LLP

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 21 By: /s/ Erica D. Wilson

22 Erica D. Wilson

23 Attorneys for Plaintiff and
 24 Counterclaim Defendant
 AUGME TECHNOLOGIES, INC.

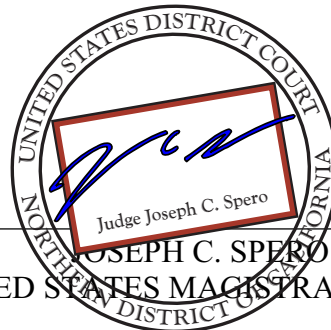
25 Attorneys for Counterclaim Defendant
 26 WORLD TALK RADIO, LLC

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~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: July 29, 2011



JOSEPH C. SPERO
UNITED STATES MAGISTRATE JUDGE

