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9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

13  
 14 MODAVOX, INC.,  
 15 Plaintiff,  
 16 v.  
 17 YAHOO! INC.,  
 18 Defendant.

Case No. C-09-5386 CRB

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

Filed: November 16, 2009  
 Trial: No Date Set

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1 Pursuant to Civil Local Rules 6-1(b), 7-12 and 16-2(e), the parties, by and through their  
2 counsel, respectfully request that the Court grant, in the form of an Order, the parties' stipulated  
3 request to continue the initial case management conference. In support of this stipulated request,  
4 the parties state as follows:

5 WHEREAS, Plaintiff filed the Complaint on November 16, 2009;

6 WHEREAS, on January 28, 2010, the Court entered an Order Setting Initial Case  
7 Management Conference ("Scheduling Order");

8 WHEREAS, the Scheduling Order set an initial case management conference for March 5,  
9 2010;

10 WHEREAS, the Parties filed their respective ADR Certifications and Stipulation  
11 Selecting ADR Process on February 2, 2010;

12 WHEREAS, Plaintiff filed the First Amended Complaint on February 4, 2010;

13 WHEREAS, in light of the recently filed Amended Complaint, and due to scheduling  
14 conflicts, counsel request the Court's permission to continue the March 5, 2010 initial case  
15 management conference for two weeks until March 19, 2010.

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1 NOW THEREFORE, the parties hereby stipulate and respectfully request the Court enter  
2 an Order as follows:

- 3 1. The Initial Case Management Conference currently scheduled for March 5, 2010 is  
4 hereby continued to March 19, 2010; and
- 5 2. The joint case management statement shall be due on March 12, 2010.

6 Dated: February 9, 2010

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19 *Attorneys for Defendant Yahoo! Inc.*

20 **ATTESTATION OF E-FILED SIGNATURE**

21 I, Richard S.J. Hung, am the ECF User whose ID and password are being used to file this  
22 STIPULATION AND PROPOSED ORDER. In compliance with General Order 45, X.B., I  
23 hereby attest that each signatory to this document has concurred to its filing.

24 Dated: February 9, 2010

25 By: /s/ Richard S.J. Hung  
26 Richard S.J. Hung

27 PURSUANT TO STIPULATION, IT IS SO ORDERED.

28 Dated: February 16, 2010

