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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

11 CATAPHORA, INC., a California corporation,
 12 Plaintiff,
 13 v.
 14 JERROLD SETH PARKER, *et al.*,
 15 Defendants.

Case No. CV 09 5749 BZ

**STIPULATION RE BRIEFING AND
 HEARING SCHEDULE ON POST TRIAL
 MOTIONS; TO STAY EXECUTION OF
 JUDGMENT; AND PROPOSED ORDER**

**STIPULATION RE BRIEFING AND HEARING SCHEDULE ON POST TRIAL MOTIONS; TO STAY
 EXECUTION OF JUDGMENT; AND PROPOSED ORDER**

1 IT IS HEREBY STIPULATED by and between the parties and their respective counsel of
2 record as follows:

3 Whereas, the jury trial of this matter was held on September 12-16 and on September 19,
4 2011;

5 Whereas, the jury returned a verdict in favor of Plaintiff and against Defendants on
6 September 19, 2011 for the sum of \$317,113.00;

7 Whereas the Court entered a judgment in accordance with the jury verdict in favor of Plaintiff
8 and against Defendants on September 19, 2011, for \$317,113.00;

9 Whereas Plaintiff intends to file a Motion for Attorneys' Fees and Costs and a Motion to
10 Determine Prejudgment Interest;

11 Whereas Defendants intend to file certain post-trial motions, including Rule 50(b) Motions
12 for Judgment as a Matter of Law, Motion for New Trial, Motion to Stay Execution of Judgment, and
13 Motion to Tax Costs;

14 Whereas, Plaintiff's counsel, due to prior commitments, is unavailable for a hearing on these
15 motions until December 21, 2011;

16 Whereas to give the parties an adequate opportunity to meet and confer regarding these
17 various motions and to conserve judicial resources, the parties have agreed to extend the deadline
18 to file the foregoing motions and to extend the briefing schedule as follows:

19 **STIPULATION**

20 The execution of the judgment **shall be stayed** until after the Court rules on the Post-Trial
21 Motions, including any Rule 50(b) and New Trial Motions, Defendants file pursuant to the deadlines
22 set forth below.

23 The hearing date on Motion for Plaintiff's Motion for Attorneys' Fees and Costs and Motion
24 to Determine Prejudgment Interest shall be **December 21, 2011**.

25 The hearing date for Defendants' Post Trial Motions, including Rule 50(b) Motions, Motion
26 for New Trial, and Motion to Tax Costs will be **December 21, 2011**.

27 Plaintiff will file its Motion for Attorneys' Fees and Costs and Motion to Determine
28 Prejudgment Interest by **November 2, 2011**.

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~~[PROPOSED]~~ ORDER

Pursuant to the stipulation of the parties, IT IS SO ORDERED.

Dated: October 3, 2011



THE HONORABLE BERNARD ZIMMERMAN