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7 Attorneys for Plaintiff,  
 E-PASS TECHNOLOGIES, INC.  
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 10 **UNITED STATES DISTRICT COURT**  
 11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 12 **SAN FRANCISCO DIVISION**

ROSEN ♦ SABA, LLP  
 468 NORTH CAMDEN DRIVE, 3RD FLOOR  
 BEVERLY HILLS, CALIFORNIA 90210

13 E-PASS TECHNOLOGIES, INC., a  
 Delaware Corporation,

Case No. 3:09-cv-05967-EMC  
*Honorable Edward M. Chen*

14 Plaintiff,

15 vs.

**STIPULATION BY AND BETWEEN  
 PLAINTIFF AND DEFENDANTS  
 REGARDING AN EXTENSION OF  
 TIME TO FILE A JOINT CMC  
 STATEMENT AND PARTIES'  
 UPDATED OFFERS OF PROOF;  
 [Proposed] ORDER**

16 MOSES & SINGER, LLP, a New  
 York Limited Partnership;  
 17 STEPHEN N. WEISS, ESQ., an  
 Individual; and DOES 1 through 50,  
 18 inclusive,

19 Defendants.

Complaint Filed: December 21, 2009  
 Trial Date: February 4, 2013

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**TO THIS HONORABLE COURT AND ALL PARTIES AND THEIR  
COUNSEL OF RECORD HEREIN:**

(1) WHEREAS, on August 1, 2012, the Court issued an Order re Parties' Second Offers of Proof as to Phase One of Trial. [USDC Docket #179.] Part of this Order directed the parties to file an updated joint CMC statement with their updated offers of proof as to Phase One of the trial no later than September 21, 2012 in preparation for a status conference on October 5, 2012, at 10:30 a.m.

(2) WHEREAS, the parties met and conferred regarding the joint CMC statement and agreed that all parties would benefit from a slight extension of time with the Court's approval.

Now, therefore, the parties, by and through their counsel of record, STIPULATE as follows:

(A) The parties respectfully request the Court to permit the parties to file the joint CMC statement and the parties' updated offers of proof as to Phase One of the trial no later than September 25, 2012.

**IT IS SO STIPULATED.**

Dated: September 19, 2012

**ROSEN ♦ SABA, LLP**

By: /s \_\_\_\_\_

JAMES R. ROSEN, ESQ.  
RYAN D. SABA, ESQ.  
LAURA L. CABLE  
Attorneys for Plaintiff,  
E-PASS TECHNOLOGIES, INC.

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Dated: September 19, 2012

**DUANE MORRIS, LLP**

By:/s

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RICHARD D. HOFFMAN, ESQ.  
ROBERT M. FINEMAN, ESQ.  
Attorneys for Defendant,  
MOSES & SINGER, LLP

Dated: September 19, 2012

**LONG & LEVIT, LLP**

By: /s

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JOSEPH MCMONIGLE, ESQ.  
JESSICA R. MACGREGOR, ESQ.  
Attorneys for Defendant,  
STEPHEN N. WEISS

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~~[Proposed]~~ **ORDER**

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD  
HEREIN:**

The Court received and reviewed the Stipulation by and between Plaintiff and Defendants regarding Expert Reports and Discovery [USDC Docket # \_\_\_\_.]

After consideration of the Stipulation, and good cause appearing, the Court orders as follows:

(A) The joint CMC statement with the parties' updated offers of proof as to Phase One of the trial will be filed no later than September 25, 2012.

**IT IS SO ORDERED.**

Date: 9/20/12

