## STIPULATION AND [PROPOSED] ORDER CONTINUING FURTHER CASE MANAGEMENT CONFERENCE

The Court referred this matter to mediation through the Court's ADR Program on April 16, 2010. On October 14, 2010, the parties attended the mediation with Stewart H. Foreman, Esq. While the remaining parties were not able to conclude a settlement at this mediation, they continued to negotiate terms for a permanent injunction. Prior to the Christmas holiday, the parties continued to negotiate injunctive relief terms and were invited by Mr. Foreman to return for a follow up mediation. The parties desire to continue the upcoming case management conference (and defer the discovery schedule and possible discovery-related motions) to allow them additional time after the holidays to conclude their current negotiations and, if necessary, return to Mr. Foreman for a second mediation session.

Accordingly, it is hereby stipulated by and among the parties that the further case management conference scheduled for January 7, 2011 shall be continued and shall take place in this Court no less than 60 days on \_\_\_\_\_\_ March 18, 2011 at 8:30 a.m., unless otherwise ordered by this Court.

## SO STIPULATED

Dated: December 30, 2010 RANDICK O'DEA & TOOLIATOS, LLP

/s/

By: \_\_\_\_\_\_
Patrick E. Guevara

Attorneys for Plaintiffs

Dated: December 30, 2010

MORRISON FOERSTER LLP

/s/

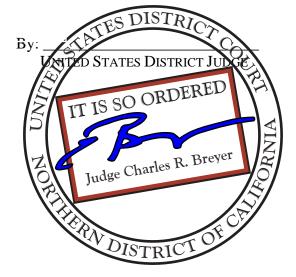
By: \_\_\_\_\_\_ Darryl P. Rains

Attorneys for Defendants

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## PURSUANT TO STIPULATION, IT IS SO ORDERED



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