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VMWARE, INC. and RED HAT, INC.

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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(SAN FRANCISCO DIVISION)

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15 IMPLICIT NETWORKS, INC.,

Case No. C 10-00720 SI

16 Plaintiff,

**STIPULATED JOINT MOTION AND
[PROPOSED] ORDER TO EXTEND TIME
FOR DEFENDANT RED HAT, INC. TO
RESPOND TO PLAINTIFF'S
COMPLAINT**

17 v.

18 VMWARE, INC. and RED HAT, INC.,

19 Defendants.

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21 **TO THE COURT AND ALL PARTIES OF RECORD:**

22 PLEASE TAKE NOTICE that Plaintiff Implicit Networks, Inc. ("Plaintiff") and Defendant

23 Red Hat, Inc. ("Red Hat") file this Stipulated Joint Motion and Proposed Order to Extend Time for

24 Defendant Red Hat, Inc. to Respond to Plaintiff's Complaint.

25 The parties have a mutual interest in the orderly and efficient conduct of this litigation, and

26 they agree that this extension of time will assist the parties in formulating their pleadings and

27 responses in the present action. Having thus met and conferred on the issue, the parties hereby

28 stipulate that Red Hat's deadline to answer or otherwise respond to Plaintiff's complaint should be

1 extended 30 days until June 14, 2010, and also move the court to order that this deadline be
2 extended to June 14, 2010.

3 Dated: May 11, 2010

FISH & RICHARDSON P.C.

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5 By: /s/ Katherine Kelly Lutton
Katherine Kelly Lutton

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7 Attorney for Defendants
VMWARE, INC. and RED HAT, INC.

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9 Dated: May 11, 2010

HOSIE RICE LLP

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11 By: /s/ Katherine Kelly Lutton
On behalf of Spencer Hosie
12 Spencer Hosie

13 Attorney for Plaintiff
14 IMPLICIT NETWORKS, INC.

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16 **DECLARATION**

17 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty
18 of perjury that concurrence in the filing of this document has been obtained from Spencer Hosie.

19 Dated: May 11, 2010

FISH & RICHARDSON P.C.

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21 By: /s/ Katherine Kelly Lutton
Katherine Kelly Lutton

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23 Attorney for Defendants
VMWARE, INC. and RED HAT, INC.

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ORDER

Pursuant to stipulation, IT IS SO ORDERED that Defendant Red Hat's answer or other response to Implicit Network's complaint shall be due on June 14, 2010.

Dated: _____, 2010.



Honorable Susan Illston
United States District Court Judge

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 11, 2010, all counsel of record who are deemed to have consented to electronic service are being served with a copy of STIPULATED JOINT MOTION AND [PROPOSED] ORDER TO EXTEND TIME FOR DEFENDANT RED HAT, INC. TO RESPOND TO PLAINTIFF'S COMPLAINT via the Court's CM/ECF system per Local Rule 5-4 and General Order 45. Any other counsel of record will be served by first class mail.

/s/ Katherine Kelly Lutton
Katherine Kelly Lutton

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