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IMPLICIT NETWORKS, INC.

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 (SAN FRANCISCO DIVISION)

20 IMPLICIT NETWORKS, INC.

21 Plaintiff,

22 v.

23 VMWARE, INC. and RED HAT, INC.,

24 Defendants.

Case No. C 10-00720 SI

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

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

2 PLEASE TAKE NOTICE that Plaintiff Implicit Networks, Inc. (“Plaintiff”) and
3 Defendants VMware, Inc. (“VMware”) and Red Hat, Inc. (“Red Hat”) file this Stipulated Joint
4 Motion and Proposed Order to Extend the Time for Defendants VMware, Inc. and Red Hat, Inc. to
5 Respond to Plaintiff’s Complaint.

6 The parties to this action are currently reviewing matters relevant to a possible resolution
7 of this matter and also have a mutual interest in the orderly and efficient conduct of this litigation.
8 They agree that this extension of time will assist the parties in either resolving this dispute or in
9 formulating their pleadings and responses in the present action. Having thus met and conferred on
10 the issue, the parties hereby stipulate that the deadline for VMware and Red Hat to answer or
11 otherwise respond to Plaintiff’s complaint should be extended 30 days until August 30, 2010, and
12 also move the court to order that this deadline be extended to August 30, 2010.

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14 Dated: July 28, 2010

FISH & RICHARDSON P.C.

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16 By: /s/ Shelley K. Mack
Shelley K. Mack

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

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20 Dated: July 28, 2010

HOSIE RICE LLP

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22 By: /s/ Spencer Hosie
Spencer Hosie

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24 Attorney for Plaintiff
IMPLICIT NETWORKS, INC.

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1 **DECLARATION**

2 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under
3 penalty of perjury that concurrence in the filing of this document has been obtained from George
4 Bishop.

5 Dated: July 28, 2010

FISH & RICHARDSON P.C.

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7 By: /s/ Shelley K. Mack

8 Shelley K. Mack

9 Attorney for Defendants

10 VMWARE, INC. and RED HAT, INC.

11 stip EOT to answer.doc
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ORDER

Pursuant to stipulation, IT IS SO ORDERED that Defendants VMware, Inc.'s and Red Hat, Inc.'s answer or other response to Implicit Network's complaint shall be due on Augustly 30, 2010.

Dated: _____, 2010.



Honorable Susan Illston
United States District Court Judge

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1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that on July 28, 2010, all counsel of record who are
3 deemed to have consented to electronic service are being served with a copy of the
4 **STIPULATED JOINT MOTION TO EXTEND THE TIME FOR DEFENDANTS**
5 **VMWARE, INC. AND RED HAD, INC. TO RESPOND TO PLAINTIFF'S COMPLAINT**
6 via the Court's CM/ECF system per Local Rule 5-4 and General Order 45. Any other counsel of
7 record will be served by first class mail.

8
9 /s/ Shelley K. Mack

10 Tamara Fraizer

11 stip EOT to answer.doc