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13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 HERMAN MILLER, INC.,
 16 Plaintiff/Counterclaim Defendant,
 17 v.
 18 ZUO MODERN CONTEMPORARY, INC.;
 19 AND DANRICK COMMERCE GROUP, LLC;
 20 Defendants/Counterclaim Plaintiffs;
 21 STACKS AND STACKS; SPACIFY, INC.;
 22 OFFICE FURNITURE OUTLET, INC.; AND
 UNKNOWN CHINA COMPANY,
 23 Defendants.

CASE NO. CV-10-1608 CRB
 Honorable Charles R. Breyer
 U.S. District Court Judge

**STIPULATION AND ~~PROPOSED~~
 ORDER (A) TO EXTEND THE
 MEDIATION DEADLINE AND (B) TO
 CONTINUE THE FURTHER CASE
 MANAGEMENT CONFERENCE**

24 The initial Case Management Conference was held in this matter on July 30, 2010, before
 25 Honorable Charles R. Breyer. Judge Breyer referred this matter to mediation and continued the
 26 Case Management Conference to a Further Case Management Conference date of November 5,
 27 2010. John W. Crittenden was appointed to serve as a mediator in this case. Accordingly, on
 28

1 August 24, 2010, Mr. Crittenden held a joint telephone conference with counsel for all parties to
2 discuss the mediation.

3 Pursuant to ADR Local Rule 6.4, mediation is to be held within 90 days after the Order
4 referring a matter to mediation, i.e., by October 28, 2010, in the present case. However, because of
5 various scheduling conflicts, the earliest date which all parties are available for mediation is
6 November 4, 2010. Accordingly, contingent upon the Court extending the deadline for mediation,
7 the parties have agreed to mediation on November 4 at 10:00 a.m. in Mr. Crittenden's offices.
8

9 Based on the above, the parties hereby stipulate and request:

- 10 1. That the mediation deadline be extended through November 4, 2010; and
- 11 2. That the Court reschedule the Further Case Management Conference (presently
12 scheduled for November 5, 2010) to a later date.

13 Case Management conference set for December 17, 2010 at 8:30 a.m.

14 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

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16 HAYES SCOTT BONINO ELLINGSON &
17 McLAY, LLP

18 By: /s/ Douglas H. Siegel
19 Stephen P. Ellingson
20 Douglas H. Siegel (*admitted pro hac vice*)
21 Jason L. Budd (*admitted pro hac vice*)
22 Hal W. Reick (*admitted pro hac vice*)
23 Attorneys for Plaintiff
24 HERMAN MILLER, INC.

21 Dated: September 28, 2010

23 DONAHUE GALLAGHER WOODS LLP

25 By: /s/ John C. Kirke
26 John C. Kirke
27 Attorneys for Defendant and Counter-Claimant
28 ZUO MODERN CONTEMPORARY, INC.

27 Dated: September 28, 2010

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ROPER, MAJESKI, KOHN & BENTLEY

By: /s/Lael D. Andara
Neil A. Smith
Robert P. Andris
Lael D. Andara
Attorneys for Defendant and Counter-Claimant
DANRICK COMMERCE GROUP, LLP

Dated: September 28, 2010

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: Sept. 29, 2010

Hon. Charles R. Breyer
United States District Court

