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11 Attorneys for Defendants

12  
 13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO)**

15 Adobe Systems Incorporated, ) 16 ) 17 Plaintiff, ) 18 v. ) 19 Reza Davachi, an individual and d/b/a ) ProjectContactAfrica; Bahareh Davachi, an ) individual and d/b/a ProjectContactAfrica; Gayle ) Barnes, an individual and d/b/a ) 20 www.directdeals.com; DirectDeals, LLC; G.W.J.) Sourcenet Distribution, Inc.; and Does 1 – 10, ) 21 inclusive, ) 22 Defendants. ) 23 _____ )	Case No. CV10-3575 SC  <b>STIPULATION TO CONTINUE CASE          MANAGEMENT CONFERENCE AND          [PROPOSED] ORDER</b>  <b>Date: November 19, 2010</b> <b>Time: 10:00 a.m.</b> <b>Court: Hon. Samuel Conti</b>
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24 **PLAINTIFF** Adobe Systems Incorporated (“Plaintiff”) and Defendants Reza Davachi, an  
 25 individual and d/b/a ProjectContactAfrica; Bahareh Davachi, an individual and d/b/a  
 26 ProjectContactAfrica; Gayle Barnes, an individual and d/b/a www.directdeals.com; DirectDeals,  
 27  
 28

1 LLC; and W.J. Sourcenet Distribution, Inc. (collectively “Defendants”), by and through their  
2 respective counsel of record, hereby stipulate and agree as follows:

3 WHEREAS Plaintiff filed its complaint on or about August 13, 2010;

4 WHEREAS Plaintiff is to serve Defendants on or before December 11, 2010;

5 WHEREAS Defendants’ counsel agreed to accept service for all Defendants;

6 WHEREAS Plaintiff mailed a waiver of service to Defendants on or about October 18,  
7 2010;

8  
9 WHEREAS Defendants have not yet returned the waiver of service and have until  
10 November 17, 2010, to do so;

11 WHEREAS, upon return of the waiver of service within the prescribed timeframe,  
12 Defendants shall have until December 17, 2010, to respond to the Complaint;

13 WHEREAS Defendants have not yet filed a response to the Complaint;

14  
15 WHEREAS counsel for the Parties held a telephonic conference on October 29, 2010, to  
16 discuss the Court’s Order Setting Initial Case Management Conference and ADR Deadlines of  
17 August 13, 2010 (“Court’s Order”);

18 WHEREAS, pursuant to the Court’s Order, the Parties are required to file the Stipulation to  
19 ADR Process on or about October 29, 2010;

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21 WHEREAS, given the fact that none of the Defendants have filed yet filed an answer or  
22 otherwise appeared in this case, Defendants are unwilling to sign the Stipulation to ADR Process  
23 and consent to jurisdiction in the Northern District of California prematurely before they have  
24 assessed all defenses available to them, including whether exercise of jurisdiction over Defendants  
25 is proper in this District;

26 WHEREAS the Parties are attempting to resolve the claims alleged in the Complaint  
27 without further intervention of the Court;

1 WHEREAS continuing the Case Management Conference and all corresponding deadlines  
2 will provide the Parties with additional time to engage in discussions to resolve this matter; and

3 NOW, THEREFORE, Plaintiff and Defendants stipulate and request the Court continue the  
4 Joint Case Management Conference for approximately ninety (90) days, or not earlier than  
5 February 18, 2011.  
6

7 IT IS SO STIPULATED.

8 DATED: October 29, 2010

J. Andrew Coombs, A Professional Corp.

9  
10 By: /s/ Nicole L. Drey  
11 J. Andrew Coombs  
12 Nicole L. Drey  
13 Attorneys for Plaintiff Adobe Systems Incorporated

14 DATED: October 29, 2010

Lewis and Roca LLP

15 By: /s/ John Krieger  
16 John Krieger  
17 Attorney for Defendants Reza Davachi, an individual  
18 and d/b/a ProjectContactAfrica; Bahareh Davachi, an  
19 individual and d/b/a ProjectContactAfrica; Gayle  
20 Barnes, an individual and d/b/a www.directdeals.com;  
21 DirectDeals, LLC; and G.W.J. Sourcenet Distribution,  
22 Inc.

23 **[PROPOSED] ORDER**

24 PURSUANT TO REQUEST, IT IS SO ORDERED.

25 DATED: November 3, 2010

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Hon. Samuel Conti  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
IT IS SO ORDERED  
*Samuel Conti*  
Judge Samuel Conti