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 7 SPECS SURFACE NANO ANALYSIS GmbH  
 and SPECS SURFACE NANO ANALYSIS, INC.

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

12 In Re SPECS

Case No. CV 10-4250 JW

**SECOND STIPULATION AND  
~~PROPOSED~~ ORDER TO CONTINUE  
 DEADLINE FOR SUBMISSION OF  
 JOINT LETTER BRIEF RE DISCOVERY  
 ISSUES**

Judge: Hon. Donna N. Ryu  
 Courtroom: 4, 3<sup>rd</sup> Floor (Oakland)  
 Complaint Filed: August 19, 2010

20 WHEREAS on April 2, 2012, SPECS Surface Nano Analysis GmbH (“SPECS GmbH”) and SPECS Surface Nano Analysis, Inc. (“SPECS Nano”) filed (1) a Motion for Protective Order and (2) a Motion to Compel Attendance of Defendants at Depositions, along with a Motion to Shorten Time, and noticed those motions for hearing before the Honorable James Ware;

25 WHEREAS on April 3, 2012, Judge Ware denied the motion to shorten time, and referred the discovery motions to this Court (Docket Nos. 56, 57);

27 WHEREAS that same day, this Court issued an order requiring that the parties comply

1 with the Court's standing order regarding the submission of a joint letter addressing discovery  
2 disputes, and further ordered that any such letter relating to the previously filed motions should  
3 be filed no later than Friday, April 13, 2012 (Docket No. 58);

4 WHEREAS, because of conflicts with other matters, including out-of-state travel and  
5 pretrial filing deadlines in a matter before the Honorable Claudia Wilken, counsel for SPECS  
6 GmbH and SPECS Nano met and conferred with counsel for Rickmer Kose and SPECS USA  
7 Corp., and the parties agreed to extend the deadline for submission of the joint letter until  
8 Wednesday, April 18, 2012, subject to approval of this Court;

9 WHEREAS, on April 10, 2012, the parties submitted a Stipulation and Proposed Order  
10 seeking an extension of the deadline for the joint letter brief until April 18th (e-docket no. 60);

11 WHEREAS, on April 11, 2012, the Court granted that request and entered an order  
12 setting the deadline for submission of the joint letter brief for April 18, 2012;

13 WHEREAS, the following day, on April 12, 2012, counsel for SPECS GMB and  
14 SPECS Inc., Michael Lisi, learned that his father-in-law had passed away, and the services now  
15 are scheduled such that Mr. Lisi will be out of town on April 17 and April 18;

16 WHEREAS, on April 13, 2012, upon learning of this issue, counsel for SPECS USA  
17 and Kose graciously offered to extend the filing deadline to accommodate Mr. Lisi's family  
18 issues; and

19 THEREFORE, the parties have now met and conferred and hereby stipulate, subject to  
20 the approval of this Court, that the deadline for submission of the parties' joint letter brief shall  
21 be continued to Friday, April 20, 2012; and that SPECS GmbH and SPECS Inc. will provide  
22 their portions of the letter brief by the close of business on April 16, 2012, while SPECS USA  
23 and Kose shall provide their portions of the letter brief by no later than 11 AM on Thursday,  
24 April 19, 2012.

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