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5 Attorneys for Defendant  
 6 Video Gaming Technologies, Inc.

7  
 8 UNITED STATES DISTRICT COURT  
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 OEM-TECH, CO, a California sole )  
 proprietorship owned and operated by Charles )  
 12 Estes, )  
 13 Plaintiff, )  
 14 v. )  
 15 VIDEO GAMING TECHNOLOGIES, INC., a )  
 Corporation doing business in California as )  
 16 VGT, INC., and DOES 1-50, inclusive )  
 17 Defendant. )

Case No. 3:10-cv-04368-RS  
**STIPULATION TO SET NEW  
 HEARING DATE ON MOTION TO  
 DISMISS PLAINTIFFS' THIRD AND  
 FIFTH CLAIMS FOR RELIEF  
 PURSUANT TO FEDERAL RULE OF  
 CIVIL PROCEDURE 12(b)(6), OR,  
 ALTERNATIVELY, STRIKE  
 PURSUANT TO FEDERAL RULE OF  
 CIVIL PROCEDURE 12(f);  
 [PROPOSED] ORDER THEREON**  
 Date: December 16, 2010  
 Time: 1:30 p.m.  
 Judge: Honorable Richard Seeborg  
 Location: Courtroom 3, 17th Floor  
 Complaint Filed: July 16, 2010  
 Date of Removal: September 28, 2010



1 Dated: October 14, 2010

MENNEMEIER, GLASSMAN & STROUD LLP  
ANDREW W. STROUD  
LONDON D. BAILEY

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4 By: /s/ Andrew W. Stroud  
Andrew W. Stroud  
5 Attorneys for Defendant Video Gaming Technologies, Inc.

6 Dated: October 14, 2010

7 THE SHAFER LAW GROUP  
JOHN S. KNOWLTON

8  
9 By: /s/ John S. Knowlton  
John S. Knowlton  
10 Attorneys for Plaintiff OEM-Tech, Co.

11  
12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13  
14  
15 Dated: 11/1/10

16 By:   
Honorable Richard Seeborg  
17 United States District Court, Northern District of California