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9 Attorneys for Defendants and Counter-Claimants
10 INTUIT INC. and MINT SOFTWARE INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 INNOSPAN CORP.,

15 Plaintiff,

16 v.

17 INTUIT INC.; MINT SOFTWARE INC.;
18 SHASTA VENTURES GP, LLC; and
DOES 1-20,

19 Defendants.

Case No. C10-04422 WHA (JCS)

**STIPULATION AND [PROPOSED]
ORDER EXTENDING DUE DATES**

Dept: G, 15th Floor
Judge: Honorable Joseph C. Spero

21 INTUIT INC. and MINT SOFTWARE
22 INC.,

23 Counter-Claimants,

24 v.

25 INNOSPAN CORP. and HONG-SEOK
26 KIM,

27 Counter-Defendants.

28 STIP & ORDER EXTENDING DUE DATES

CASE NO.: C10-04422 WHA (JCS)

STIPULATION

1
2 WHEREAS, on October 3, 2011, the Court issued its Discovery Order (Dkt. # 212) that
3 ordered Plaintiff to produce all documents listed on the August 18 privilege screen, except for
4 privileged or work product communications between Mr. Song or his associate and Mr. Kim by
5 October 4, 2011;

6 WHEREAS, Plaintiff complied with part of Paragraph 3(b) the Discovery Order (Dkt. #
7 212) by timely producing the non-privileged documents from the August 18 privilege screen by
8 October 4, 2011;

9 WHEREAS, the Discovery Order (Dkt. # 212 at Paragraph 3(b)) ordered Plaintiff to serve
10 a privilege log by October 7, 2011 of all documents withheld from the October 4 production;

11 WHEREAS, the Discovery Order (Dkt. # 212 at Paragraphs 3(c) and (d)) ordered Plaintiff
12 to produce additional documents and serve new privilege logs correcting certain errors found by
13 the Court by October 7, 2011;

14 WHEREAS, Plaintiff represents that it has been diligently working in good faith to
15 complete its privilege log of all documents withheld from the October 4 production, correct the
16 privilege log errors found by the Court, and produce the documents ordered produced by the
17 Court;

18 WHEREAS, the parties have been meeting-and-conferring for weeks about Plaintiff's
19 responses to (a) Intuit's Third Set of Interrogatories, (b) Intuit's Fourth Set of Requests for
20 Production of Documents, (c) Intuit's Third Set for Requests for Admission, and (d) Mint's First
21 Set of Interrogatories;

22 WHEREAS, Intuit and Mint contend that Plaintiff's above-noted discovery responses are
23 inadequate and relief from the Court is required;

24 WHEREAS, pursuant to the Case Management Order (Dkt. # 72), the non-expert (fact)
25 discovery cut-off in this case is September 30, 2011;

26 WHEREAS, pursuant to Civil Local Rule 37-3, any motions to compel regarding non-
27 expert (fact) discovery must be filed within 7 days after the non-expert (fact) discovery cut-off, or
28 by October 7, 2011;

1 WHEREAS, the parties have discussed entering into a Stipulation & Order that would
2 compel further discovery responses and documents from Plaintiff in connection with the above-
3 noted discovery responses;

4 WHEREAS, the parties were unable to reach a final agreement regarding a Stipulation &
5 Order that would resolve all of the pending discovery disputes;

6 WHEREAS, Intuit has prepared its portion of a Joint Letter for discovery relief in
7 connection with the pending discovery disputes;

8 WHEREAS, Plaintiff has requested additional time to comply with the Court's Discovery
9 Order (Dkt. # 212) to serve a privilege log of all documents withheld from the October 4
10 production, correct the privilege log errors found by the Court, and produce the documents
11 ordered produced by the Court;

12 WHEREAS, Plaintiff offered to agree to extend the deadline to file any Joint Letter to
13 compel further discovery responses and documents from Plaintiff in connection with the above-
14 noted discovery responses;

15 WHEREAS, Intuit is willing to provide Plaintiff with a reasonable extension of time to
16 complete its privilege log of all documents withheld from the October 4 production, correct the
17 privilege log errors found by the Court, and produce the documents ordered produced by the
18 Court;

19 WHEREAS, out of an abundance of caution, Intuit will file its portion of the Joint Letter
20 to compel further discovery responses and documents from Plaintiff in connection with the
21 above-noted discovery responses by October 7, 2011;

22 WHEREAS, to provide the parties a reasonable extension of time to try to resolve the
23 pending discovery disputes;

24 WHEREAS, to avoid burdening the parties and the Court with unnecessary motion
25 practice.

26 NOW, THEREFORE, IT IS HEREBY STIPULATED by the parties through their counsel
27 of record that:

ATTESTATION PURSUANT TO GENERAL ORDER 45

Pursuant to General Order No. 45, Section X.B., I hereby attest that I have obtained concurrence of the above noted signatories as indicated by a "conformed" signature (/s/) within this e-filed document.

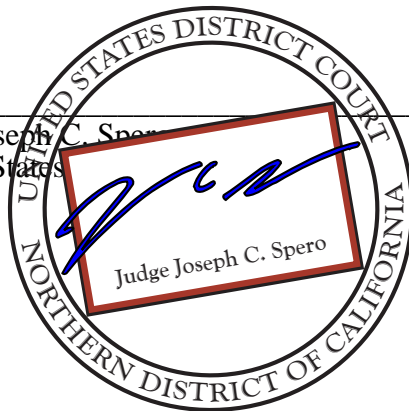
DATED: October 7, 2011

By: _____ /s/ Rodger R. Cole
Rodger R. Cole

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 13, 2011

Hon. Joseph C. Spero
United States



A circular official seal of the United States District Court, Northern District of California, is stamped over the signature. The seal contains the text "UNITED STATES DISTRICT COURT" at the top and "NORTHERN DISTRICT OF CALIFORNIA" at the bottom. A blue ink signature is written across the seal, and the name "Judge Joseph C. Spero" is printed in the center of the seal.

FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW

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