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18
19 IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

20 INTERWOVEN, INC.,
21
22 Plaintiff,

23 v.

24 VERTICAL COMPUTER SYSTEMS, INC.,
25
26 Defendant.

Case No. 3:10-cv-04645-RS

**STIPULATED REQUEST FOR ORDER
CHANGING TIME AND ~~[PROPOSED]~~
ORDER; DECLARATION OF VASILIOS
D. DOSSAS IN SUPPORT**

JURY TRIAL DEMANDED

STIPULATED REQUEST FOR ORDER CHANGING TIME

Pursuant to Local Rule 6-2 of the Local Rules for the Northern District of California, Plaintiff, Interwoven, Inc., ("Interwoven") and Defendant, Vertical Computer Systems, Inc. ("Vertical"), by and through their respective counsel of record, jointly request the Court for an extension of time for the deadline for the completion of fact discovery from October 12, 2012 to October 26, 2012. This requested extension of time does not impact any other dates in the Court's Case Management Schedule (which will remain as set forth below). *See* Dkt. Nos. 117, 123.

- On or before December 7, 2012, the Parties shall disclose expert testimony and reports on issues for which the Parties bear the burden of proof in accordance with Federal Rule of Civil Procedure 26(a)(2).
- On or before January 18, 2013, the Parties shall disclose expert testimony and reports on issues for which the Parties do not bear the burden of proof in accordance with Federal Rule of Civil Procedure 26(a)(2).
- On or before February 15, 2013, all discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b)(4) shall be completed.

The parties hereby jointly request the Court for a brief extension for the deadline for the completion of fact discovery because principal counsel for Vertical will be out of the country from October 3, 2012 through October 13, 2012, a time period that includes the last eleven days of fact discovery.¹ This short continuance will provide additional time to complete fact

¹ Vertical also seeks an extension of fact discovery based on difficulties in scheduling depositions. Vertical has factual support for this additional ground, but has withheld presenting it in light of the agreement reached on the extension. Interwoven disagrees with the additional ground and believes the parties would have been able to finish discovery by the deadline but for Counsel for Vertical's existing travel plans. Thus, Interwoven does not stipulate to the alleged scheduling difficulties as a basis for the requested extension. However, Interwoven has agreed to this request for an extension out of professional courtesy and in the spirit of cooperation.

1 discovery. The Declaration of Vasilios D. Dossas provides the information required by Civil
2 L.R. 6-2(a)(1)-(3). The parties' stipulated request herein is not made for purposes of delay or
3 harassment, but is based in good faith upon the grounds stated above. For these reasons, the
4 parties respectfully request an Order from this Court changing the date for the parties' deadline
5 for the completion of fact discovery from October 12, 2012 to October 26, 2012.

6
7 Date: September 7, 2012

Respectfully submitted,

8 /s/ Vasilios D. Dossas
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22 Respectfully submitted,

23 Date: September 7, 2012


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The Court finds that the Stipulated Request for an Order Changing Time is well taken and should be GRANTED.

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: 9/11/12



Honorable Richard Seeborg
United States District Court Judge