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18 ATTORNEYS FOR DEFENDANT AND COUNTERCLAIMANT
 19 VERTICAL COMPUTER SYSTEMS, INC.

20 **UNITED STATES DISTRICT COURT**
 21 **NORTHERN DISTRICT OF CALIFORNIA**
 22 **SAN FRANCISCO DIVISION**

23 _____)
 24 INTERWOVEN, INC.,)

25 Plaintiff,)

26 vs.)

27 VERTICAL COMPUTER SYSTEMS, INC.,)

28 Defendant.)

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

**JOINT STIPULATED REQUEST FOR
 EXTENSION OF TIME AND TO SET
 HEARING DATE FOR PRETRIAL
 MOTIONS AND [PROPOSED] ORDER**

HON. RICHARD SEEBORG

1 Pursuant to Local Rules 6-2 and 7-12 of the Civil Local Rules for the Northern District of
2 California, Plaintiff, Interwoven, Inc., (“Interwoven”) and Defendant, Vertical Computer
3 Systems, Inc. (“Vertical”), by and through their respective counsel, jointly request the Court
4 extend the deadline for pretrial motion hearings, and set a hearing date on or after June 17, 2013
5 for pretrial motions.

6 In its May 25, 2012 Case Management Scheduling Order (Dkt. No. 117), the Court set a
7 deadline of May 23, 2013 for hearing pretrial motions. Interwoven intends to file a Motion for
8 Summary Judgment addressing a number of issues.¹

9 The Court is unavailable from May 13, 2013 through May 17, 2013, as well as on May 23,
10 2013. These dates on which the Court is unavailable include the last two civil law and motion
11 calendar days on which pretrial motions could be heard. The parties further understand that the
12 Court is not available for a pretrial motion hearing on May 21, 2013, a date the parties had
13 initially proposed to the Court through the Court’s clerk.

14 Counsel for Interwoven will be in trial in Washington, DC from May 31, 2013 through
15 June 7, 2013 and expects to be in Washington, DC for this trial from May 22, 2013 through June
16 8, 2013. Counsel for Vertical has a prior travel engagement from May 3, 2013 to May 13, 2013,
17 and is unavailable for a pretrial motion hearing in California during that time period.

18 By prior agreements of the parties, and due the production of additional revenue data by
19 Interwoven on February 27, 2013, as well as an unexpected illness that led to the cancellation of
20 his deposition scheduled for February 27, 2013, the parties agreed that Vertical’s damages expert,
21 Joseph Gemini would serve a supplemental report on March 20, 2013, and will be deposed on
22 March 26, 2013. Counsel for Interwoven expects that the Gemini supplemental report and
23 deposition will be essential to Interwoven’s planned motions practice.

24 Counsel for Interwoven and counsel for Vertical have conferred, and both are available
25 for a pretrial motion hearing on or after June 17, 2013. The Declaration of Bijal V. Vakil that
26 accompanies this stipulated request and provides the information required by Civil L.R. 6-2.

27 _____
28 ¹ Vertical does not currently intend to file a Motion for Summary Judgment.

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ORDER

The Court finds that the Stipulated Request for an Order Changing Time is well taken and should be GRANTED. Pretrial motions in this case will be set for hearing on June [20], 2013 at [1:30 p.m.].

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: 3/21/13



Honorable Richard Seeborg
United States District Court Judge