

E-Filed 4/15/11

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11 Attorneys for Defendant
 12 NIMBLE STORAGE, INC.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

17 NIMBUS DATA SYSTEMS, INC.,
 18 Plaintiff,
 19 v.
 20 NIMBLE STORAGE, INC.,
 21 Defendant.

Case No. CV:11-1214 RS

**STIPULATED REQUEST FOR ORDER
 EXTENDING BRIEFING SCHEDULE AND
 HEARING DATE ON NIMBUS DATA
 SYSTEMS, INC.'S MOTION FOR
 PRELIMINARY INJUNCTION**

Date: May 12, 2011
 Time: 1:30 p.m.
 Dept. 3
 Judge: Honorable Richard Seeborg

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 STIPULATED REQ. FOR CONTINUATION OF
 HEARING AND EXTENDED BRIEFING SCHEDULE
 C-11-01214 RS

1 Pursuant to Northern District of California Local Rule 6-2, Plaintiff Nimbus Data
2 Systems, Inc. (“Nimbus Data”) and Defendant Nimble Storage, Inc. (“Nimble Storage”)
3 (collectively, the “Parties”), through their respective counsel of record, hereby stipulate and agree
4 as follows:

5 **WHEREAS**, Nimbus Data filed its Motion for Preliminary Injunction on April 7, 2011 (the
6 “Motion”), seeking to enjoin Nimble Storage from continuing to use NIMBLE and NIMBLE
7 STORAGE as trademarks and trade names on the ground that such use constitutes trademark
8 infringement and is likely to cause consumer confusion;

9 **WHEREAS**, the hearing date on the Motion is currently scheduled for May 12, 2011 at
10 1:30 p.m. before the Honorable Richard Seeborg;

11 **WHEREAS**, Nimble Storage’s deadline to file an opposition to the Motion is currently set
12 for April 21, 2011, and Nimbus Data’s deadline to file a reply is currently set for April 28, 2011;

13 **WHEREAS**, Nimble Storage requested, and Nimbus Data agreed, to extend the briefing
14 schedule on the Motion so as to allow Nimble Storage an adequate opportunity to investigate and
15 respond to the issues raised in the Motion;

16 **WHEREAS**, the Parties and the Court would benefit from a short extension of time to allow
17 the parties to fully brief the issues raised by the Motion; and

18 **WHEREAS**, there have been no other time modifications requested or granted in the case;

19 **NOW, THEREFORE**, subject to the approval of this Court, and in accordance with Northern
20 District of California Local Rule 6-2, the Parties hereby stipulate and agree as follows:

21 **1.** The hearing date on the motion is continued to Thursday, June 9, 2011 at 1:30 p.m.
22 in Courtroom 3 before the Honorable Richard Seeborg;

23 **2.** The deadline for Nimble Storage to file a brief in opposition to the Motion and any
24 evidence in support thereof is extended to Monday, May 9, 2011; and

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1 3. The deadline for Nimbus Data to file its reply brief in support of the Motion is
2 extended to May 26, 2011.

3 **IT IS SO STIPULATED.**

4 Dated: April 14, 2011

JENNIFER LEE TAYLOR (161368)
WILLIAM A. CHRISTOPHER (244125)
MORRISON & FOERSTER LLP

7 By: _____ /s/
8 Jennifer Lee Taylor

9 Attorneys for Plaintiff
10 NIMBUS DATA SYSTEMS, INC.

11 Dated: April 14, 2011

COOLEY LLP
JANET L. CULLUM (104336)
ANGELA L. DUNNING (212047)
AARON M. FENNIMORE (251602)

14 By: _____ /s/
15 Angela L. Dunning

16 Attorneys for Defendant
17 NIMBLE STORAGE, INC.


18 **FILER'S ATTESTATION**

19 Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that
20 all parties have concurred in the filing of this Stipulated Request for Order Extending Briefing
21 Schedule and Hearing Date on Nimbus Data Systems, Inc.'s Motion for Preliminary Injunction.

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23 _____ /s/
Angela L. Dunning

24 **IT IS SO ORDERED.**

25
26 Date: 4/15/11

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28 _____
HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE