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Attorneys for Defendant
 TheStreet, Inc. (f/k/aTheStreet.com, Inc.)

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

21 EIT HOLDINGS LLC, a Delaware company
 22 Plaintiff,
 23 vs.
 24 THESTREET.COM, INCORPORATED, a
 25 Delaware Corporation,
 26 Defendant.

CASE NO. 3:11-CV-02469-JCS

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER FOR THREE-MONTH
 CONTINUANCE OF CASE
 MANAGEMENT CONFERENCE**

DEMAND FOR JURY TRIAL

JOINT STIPULATION

27 Plaintiff and counterclaim Defendant EIT Holdings, LLC (“EIT”) and Defendant and
 28 counterclaimn Plaintiff TheStreet.com (“TheStreet”) respectfully request that the Court continue
 the Case Management Conference of August 31, 2012 (Doc 39) for three months, allowing time

1 for *EIT Holdings, LLC v. Yelp! Inc.*, Case No. 3:10-cv-05623-WHA (N.D. Cal.), to proceed in the
2 United States Court of Appeals for the Federal Circuit.

3
4 Dated: August 24, 2012

Respectfully submitted,

5 **Counsel for EIT Holdings, LLC**

Counsel for TheStreet, Inc.
(f/k/aTheStreet.com, Inc.)

6 By: /s/ Edward W. Goldstein

By: s/ Ryan Kent

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ATTESTATION OF CONCURRENCE

I, Edward W. Goldstein, as the ECF user and filer of this document, attest that
concurrence in the filing of this document has been obtained from each of the above signatories.

Dated: August 24, 2012

By: s/ Edward W. Goldstein

Counsel for EIT Holdings, LLC

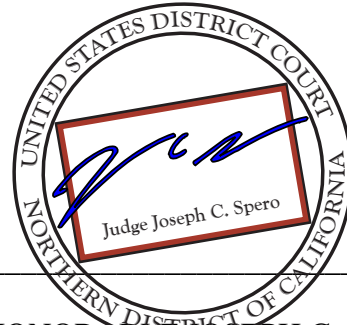
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PROPOSED ORDER

WHEREAS, Plaintiff and Counterclaim Defendant EIT Holdings, LLC and Defendant and Counterclaim Plaintiff TheStreet, Inc. f/k/a The Street.com Inc. have agreed to continue the Case Management Conference of August 31, 2012 for a three-month period to be reset for November 30, 2012.

NOW, THEREFORE, IT IS SO ORDERED.

DATED: August 28, 2012



HONORABLE JOSEPH C. SPERO
United States District Judge

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on August 24, 2012, or, if not yet registered with the Court's CM/ECF system, via electronic mail pursuant to Fed.R.Civ.P. 5(b)(2)(E). Any other counsel of record will be served by first class U.S. Mail.

s/ Edward W. Goldstein
Edward W. Goldstein