

1 Eric L. Wesenberg (SBN 139696)
EWesenberg@perkinscoie.com
 2 Kenneth J. Halpern (SBN 187663)
KHalpern@perkinscoie.com
 3 PERKINS COIE LLP
 3150 Porter Drive
 4 Palo Alto, CA 94304-1212
 Telephone: 650.838.4300
 5 Facsimile: 650.838.4350

6 Christina J. McCullough (SBN 245944)
CMcCullough@perkinscoie.com
 7 PERKINS COIE LLP
 1201 Third Avenue, Suite 4800
 8 Seattle, WA 98101-3099
 Telephone: 206.359.8000
 9 Facsimile: 206.359.9000

10 Attorneys for Defendant
 Microsoft Corporation

11 *Of Counsel:*

12 Stephen P. McGrath (SBN 202696)
stevemcg@microsoft.com
 13 MICROSOFT CORPORATION
 Building 8
 14 One Microsoft Way
 Redmond, WA 98052-6399
 15 Telephone: 425.882.8080

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN FRANCISCO DIVISION

21 TRISTRATA, INC., a California
 corporation,

22 Plaintiff,

23 v.

24 MICROSOFT CORPORATION, a
 25 Washington corporation; and ADOBE
 SYSTEMS INCORPORATED, a Delaware
 26 corporation,

27 Defendants.
 28

Case No. CV 11-3797 JSW

**STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE AND
~~[PROPOSED]~~ ORDER**

Date: February 3, 2012
Time: 1:30 p.m.
Dept.: Courtroom 11, 19th Floor
Before: Honorable Jeffrey S. White

1 WHEREAS, the Case Management Conference is currently set for February 3, 2012 at
2 1:30 p.m. and the parties' Joint Case Management Statement and Rule 26(f) Report are due
3 January 27, 2012; and

4 WHEREAS, counsel for Microsoft has determined that he has a scheduling conflict that
5 renders him unavailable on February 3, 2012, due to an obligation that arose prior to the Court's
6 setting of the Case Management Conference;

7 WHEREAS, counsel for all parties to this matter believe that this scheduling conflict
8 constitutes good cause for extending the Case Management Conference date and have further
9 agreed to a two (2) week extension of the Case Management Conference to accommodate said
10 scheduling conflict;

11 WHEREAS, the two-week extension continuing the Case Management Conference
12 constitutes a minimal delay that will not alter any deadline already fixed by Court order; and

13 WHEREAS, the parties are actively investigating the case, have maintained friendly and
14 open lines of communication with each other, and expect to use to the additional time to engage
15 in further productive discussions;

16 NOW, THEREFORE, subject to the Court's approval, the parties Stipulate and Agree as
17 follows:

18 1. The Case Management Conference should be continued from February 3, 2011, at
19 1:30 p.m., to February 17, 2011, at 1:30 p.m., or to such other date and time as are convenient for
20 the Court;

21 2. The corresponding deadline to file the Joint Case Management Statement and Rule
22 26(f) Report should be continued to February 10, 2012; and

23 3. The corresponding deadline for the parties to meet and confer pursuant to Fed. R.
24 Civ. Proc. 26(f) and ADR L.R. 3-5 should be continued to January 27, 2012.

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DATED: December 13, 2011

PERKINS COIE LLP

By: /s/ Eric L. Wesenberg
Eric L. Wesenberg

Attorneys for Defendant
Microsoft Corporation

DATED: December 13, 2011

FEINBERG DAY ALBERTI & THOMPSON LLP

By: /s/ Ian N. Feinberg
Ian N. Feinberg

Attorneys for Defendant
Adobe Systems Incorporated

DATED: December 13, 2011

HAUSFELD LLP

By: /s/ Bruce Wecker
Bruce Wecker

Attorneys for Plaintiff
TriStrata Incorporated

I, Eric L. Wesenberg, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: December 13, 2011

PERKINS COIE LLP

By: /s/ Eric L. Wesenberg
Eric L. Wesenberg

Attorneys for Defendant
Microsoft Corporation

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[PROPOSED] ORDER

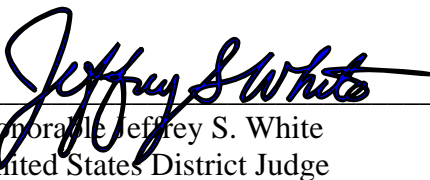
**PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, AND
WITH GOOD CAUSE APPEARING, IT IS ORDERED THAT:**

1. The Case Management Conference is continued from February 3, 2011, at 1:30 p.m., to February 17, 2011, at 1:30 p.m.;

2. The corresponding deadline to file the Joint Case Management Statement and Rule 26(f) Report is continued to February 10, 2012; and

3. The corresponding deadline for the parties to meet and confer pursuant to Fed. R. Civ. Proc. 26(f) and ADR L.R. 3-5 is continued to January 27, 2012.

DATED: December 14, 2011 _____



Honorable Jeffrey S. White
United States District Judge