

1 J. Andrew Coombs (SBN 123881)
andy@coombspc.com
2 Nicole L. Drey (SBN 250235)
nicole@coombspc.com
3 J. Andrew Coombs, A P. C.
517 East Wilson Avenue, Suite 202
4 Glendale, California 91206
Telephone: (818) 500-3200
5 Facsimile: (818) 300-3201

6 Attorneys for Plaintiff
Adobe Systems Incorporated
7

8 Andrew D. Winghart (SBN 225099)
drew@winghartlaw.com
9 Winghart Law Group
495 Seaport Court, Suite 104
10 Redwood City, California 94063
Telephone: (510) 593-8546
11 Facsimile: (866) 941-8593

12 Attorneys for Defendants Francis Pierre and
Futursoft Solutions, Inc., erroneously sued
13 as Francis Pierre, an individual and d/b/a
www.futursoftsolutions.com, Isaac Abady
14 and Computer Software Plus, Inc.,
erroneously sued as Isaac Abady a/k/a Ike
15 Abady a/k/a Ike Abadi a/k/a Ike Ababi, an
individual and d/b/a
16 www.topdealscenter.com and Top Deals
Center
17

18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO)**

20	Adobe Systems Incorporated,	)	Case No. C11-3885 CRB
21)	
22	v.	)	STIPULATION TO EXTEND ADR
	Plaintiff,	)	DEADLINE AND CONTINUE
23	Matthew Rene, et al.,	)	FURTHER CASE MANAGEMENT
		)	CONFERENCE AND [REDACTED]
24	Defendants.	)	ORDER
25		)	Current ADR Deadline: Sept. 30, 2012
26		)	CMC: October 19, 2012
		)	Time: 8:30 a.m.
27		)	Court: Hon. Charles R. Breyer

1 PLAINTIFF Adobe Systems Incorporated (“Adobe”), by and through its counsel of record,
2 and Defendants Francis Pierre and Futursoft Solutions, Inc., erroneously sued as Francis Pierre, an
3 individual and d/b/a www.futursoftsolutions.com, Isaac Abady and Computer Software Plus, Inc.,
4 erroneously sued as Isaac Abady a/k/a Ike Abady a/k/a Ike Abadi a/k/a Ike Ababi, an individual
5 and d/b/a www.topdealscenter.com and Top Deals Center (collectively “Defendants”), by and
6 through their counsel of record, hereby stipulate and request for an Order of the Court as follows:
7

8 WHEREAS as a result of the death of counsel Andrew Winghart’s father occurred in July
9 2012, thus preventing the previously scheduled mediation in this matter;

10 WHEREAS the Court ordered the extension of the Mediation Deadline until September 30,
11 2012 and a Further Case Management Conference on October 19, 2012, to occur after mediation
12 had taken place [Docket No. 28];

13 WHEREAS the parties’ counsel and the appointed Neutrals engaged in further discussions
14 on August 15, 2012, and several problems in securing a date were encountered

15 WHEREAS the parties engaged in a good-faith effort to secure a date within the Mediation
16 Deadline, but the Defendants were unable to attend any mediation date available to the appointed
17 neutrals and Plaintiff before the end of the Mediation Deadline as Defendant Abady is an observant
18 and Orthodox practicing member of the Jewish faith and as such for religious reasons was unable
19 to attend any mediations in the last two weeks of September as well as many dates in October, and
20 Defendant Pierre had planned his personal vacation and his shared custody agreement for his son
21 around the prior mediation date of July which had to be vacated;

22 WHEREAS the results of the schedule conflicts of the Defendants resulted in an inability to
23 secure a date available for all parties and their counsel during this August 15, 2012 conference,

24 WHEREAS through the further efforts of counsel and mediators in the following weeks, all
25 parties agreed to hold the mediation in November;

1 WHEREAS the parties were able to secure a date for the mediation of this case, and have
2 scheduled the same for November 28, 2012 and Notice of this date has been served on all parties;

3 WHEREAS the confirmation of this confirmation of a new mediation date was served on
4 September 20, 2012 and as such the parties have not inappropriately delayed in bringing this matter
5 to the Court's attention;

6 WHEREAS extending the ADR deadline by sixty (60) days and continuing the Case
7 Management Conference until after the mediation will allow the Parties sufficient time to attempt
8 to resolve this matter without further intervention of the Court; and
9

10 WHEREAS no other Court deadlines will be affected by an extension of the ADR deadline
11 or continuation of the Case Management Conference.

12 NOW, THEREFORE, for good cause Adobe and Defendants stipulate and respectfully
13 request the Court extend the ADR deadline to November 30, 2012, and continue the Joint Case
14 Management Conference until December 14, 2012 or a date thereafter acceptable with the Court.

15 IT IS SO STIPULATED.

16 DATED: _September 25, 2012_

J. Andrew Coombs, A Professional Corp.

17
18 By: _____/s/
19 J. Andrew Coombs
20 Nicole L. Drey
21 Attorneys for Plaintiff

22 DATED: __ September 25, 2012 __

Winghart Law Group

23
24 By: _____/s/
25 Andrew D. Winghart
26 Attorneys for Defendants
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~PROPOSED~~ ORDER

PURSUANT TO REQUEST, IT IS HEREBY ORDERED that the ADR Deadline is extended to
November 30, 2012. It is further ordered that the Case Management Conference
shall be continued to December 14, 2012 at 8:30 a.m..

DATED: September 28, 2012

