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 RESTORATION HARDWARE, INC., GARY  
 FRIEDMAN

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

EMECO INDUSTRIES, INC.  
 Plaintiff,  
 v.  
 RESTORATION HARDWARE, INC., GARY  
 FRIEDMAN, and DOES 1-10.  
 Defendants.

CASE NO. CV 12-05072 MMC  
**PARTIES' JOINT STIPULATION AND  
 REQUEST TO CONTINUE HEARING ON  
 PLAINTIFF'S MOTION FOR A  
 PRELIMINARY INJUNCTION;  
~~PROPOSED~~ ORDER THEREON**

1 Plaintiff Emeco Industries, Inc. (“Plaintiff”), and Defendants Restoration Hardware, Inc.  
2 and Gary Friedman (“Defendants”) hereby stipulate through their respective attorneys as  
3 follows:

4 WHEREAS, Plaintiff filed a motion for a preliminary injunction on October 10, 2012,  
5 Dkt. No. 10; Defendants filed a response to the motion for a preliminary injunction on  
6 November 16, 2012, Dkt. No. 26; Plaintiff filed a reply on November 30, 2012, Dkt. Nos. 37,  
7 38, 39; Defendants filed a motion for leave to file a surreply on December 7, 2012, Dkt. No. 42;  
8 and Plaintiff filed a response thereto on December 10, 2012, Dkt. No. 45;

9 WHEREAS, the hearing date on Plaintiff’s motion for a preliminary injunction was  
10 initially set for December 14, 2012 at 9 a.m.;

11 WHEREAS, the parties filed a stipulation on December 7, 2012 to continue the hearing,  
12 Dkt. No. 44;

13 WHEREAS, on December 11, 2012, the court ordered the hearing continued until  
14 January 11, 2013 and reset the hearing date accordingly, Dkt. No. 46;

15 WHEREAS, the parties have entered into a binding term sheet and anticipate finalizing a  
16 settlement agreement and filing a dismissal in the near future;

17 WHEREAS, the parties respectfully request that the hearing on the preliminary  
18 injunction scheduled for January 11, 2013 be continued.

19 NOW THEREFORE, IT IS HEREBY STIPULATED that, subject to the Court’s  
20 approval:

21 1. The hearing on the preliminary injunction scheduled for January 11, 2013 shall  
22 be continued.

23  
24 Respectfully Submitted,  
25  
26  
27  
28

1 Dated: January 10, 2013

Dated: January 10, 2013

2  
3 /s/ Jonathan H. Blavin  
4 JONATHAN H. BLAVIN  
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/s/ Wesley E. Overson  
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8 Attorneys for Plaintiff  
9 Emeco Industries, Inc.

Attorneys for Defendants  
Restoration Hardware, Inc. and Gary  
Friedman

10  
11 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** The hearing on  
12 plaintiff's motion for a preliminary injunction is hereby CONTINUED to March 1, 2013.

13 DATED: January 10, 2013

14   
15 HONORABLE MAXINE M. CHENEY  
16 United States District Judge

17 **ATTESTATION PURSUANT TO GENERAL ORDER 45 X.B.**

18 I, Jonathan H. Blavin, am the ECF User whose ID and password are being used to file this  
19 Stipulation to Continue Initial Case Management Conference. In compliance with General Order  
20 45, X.B., I hereby attest that Wesley E. Overson has concurred in this filing.

21 Dated: January 10, 2013

MUNGER, TOLLES & OLSON LLP

22 /s/ Jonathan H. Blavin  
23 JONATHAN H. BLAVIN  
24 Jonathan.Blavin@mtmo.com