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7 Attorneys for Defendant  
 Bazaarvoice, Inc.

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

12 United States of America,	)	CASE NO.: 13-cv-0133-EMC
	)	
13 Plaintiff,	)	<b>STIPULATION AND [PROPOSED] ORDER REGARDING THE EXCHANGE OF PRELIMINARY AND FINAL WITNESS LISTS</b>
14 v.	)	
15 Bazaarvoice, Inc.,	)	
	)	
16 Defendant.	)	
	)	
	)	

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 20 WHEREAS, on February 14, 2013, the Court held an initial Case Management  
 21 Conference (“CMC”) at which time the parties, in an effort to focus and preserve discovery  
 22 resources, agreed in principle to the exchange of preliminary witness list in advance of the close  
 23 of fact discovery; and

24 WHEREAS, the Court requested that the parties meet and confer concerning the  
 25 exchange of preliminary and final witness lists;

26 NOW THEREFORE, it is hereby stipulated and agreed between Plaintiff and Defendant  
 27 through their respective counsel listed below, subject to the approval of the Court, that:

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- 1           1.    On or before June 10, 2013 the parties shall exchange preliminary lists of fact  
2 witnesses that may be called live at trial, excluding experts (“Preliminary Witness List”);
- 3           2.    On or before June 28, 2013 the parties may supplement their Preliminary Witness  
4 Lists (“Supplemented Preliminary Witness List”) by adding no more than ten (10) fact witnesses;
- 5           3.    The parties shall exchange final trial witness lists (“Final Trial Witness List”) on  
6 August 6, 2013;
- 7           4.    Absent good cause, witnesses that did not appear on a party’s Preliminary Witness  
8 List or Supplemented Preliminary Witness List shall be precluded from testifying live at trial;  
9 and
- 10          5.    Notwithstanding the other limitations on discovery in this case, including the cutoff  
11 date for fact discovery, each party shall have the right to (1) seek documents from each witness  
12 (subject to the parties’ April 4 discovery protocol agreement) who appears on the opposing  
13 party’s Preliminary Witness List or Supplemented Preliminary Witness List, and (2) depose each  
14 witness for up to four (4) hours on the record, unless the party has previously deposed the  
15 witness in this litigation.

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**ATTESTATION**

I, Dylan J. Liddiard, am the ECF user whose identification and password are being used to file the **STIPULATION AND [PROPOSED] ORDER REGARDING THE EXCHANGE OF PRELIMINARY AND FINAL WITNESS LISTS**. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Peter K. Huston has concurred in this filing..

Dated: June 6, 2013

By:           /s/ Dylan J. Liddiard            
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