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 23 KEUN TAEK PARK

24 **UNITED STATES DISTRICT COURT**
 25 **NORTHERN DISTRICT OF CALIFORNIA**

26 TOPPAN PHOTOMASKS, INC.,

27 Plaintiff,

28 vs.

29 KEUN TAEK PARK, an individual,

30 Defendant.

Case No. CV-133323 MMC

**STIPULATION AND ~~PROPOSED~~ ORDER
 TO EXTEND TEMPORARY
 RESTRAINING ORDER AND CONTINUE
 HEARING ON ORDER TO SHOW CAUSE
 WHY A PRELIMINARY INJUNCTION
 SHOULD NOT BE ISSUED**

Complaint Filed: July 15, 2013

Trial Date:

Judge: Hon. Maxine M. Chesney

Case No.: CV 133323MMC

**STIPULATION AND ~~PROPOSED~~ ORDER TO EXTEND TRO AND CONTINUE HEARING ON OSC
 WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUED**

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RECITALS

WHEREAS:

A. On July 17,2013, Plaintiff Toppan Photomasks, Inc. (“Plaintiff” or “TPI”) filed the above-captioned action against Defendant Keun Taek Park (“Defendant” or “Park”) (collectively, the “Parties”) for alleged violation of the California Uniform Trade Secrets Act based on his alleged acquisition of TPI’s trade secrets, and breach of contract in connection with his alleged breach of multiple confidentiality agreements between the Parties.

B. On July 19, 2013, the Court issued a temporary restraining order (“TRO”)and order to show cause why a preliminary injunction should not issue (“OSC”) against Park on the grounds that TPI had demonstrated a substantial likelihood of success on the merits of its claims against Park. The Court further found that Plaintiff has demonstrated that, without an order from this Court, TPI will suffer irreparable harm, that the balance of hardships strongly favors TPI, and that issuance of a TRO and OSC were in the public interest.

C. The Court set an OSCpreliminary injunction hearing for August 1, 2013.

D. The parties wish to extend the TRO and continue the OSC preliminary injunction hearing to August 30 at 9:00 a.m. (and agree to request that the Court so order) to allow Defendant’s counsel to familiarize himself with the case and to allow the Parties time to explore the possibility of a stipulated preliminary injunction.

STIPULATION

NOW THEREFORE, the Parties stipulate and agree as follows:

1. The Parties agree to continue the August 1, 2013 OSC preliminary injunction hearing to August 30, 2013 at 9:00 a.m.
2. The Parties agree that the July 19, 2013 TRO (Doc.#16, attached hereto as Exhibit A)shall remain in effect through August 30, 2013, or until a preliminary injunction has issued, whichever occurs first.

1 DATED: July 31, 2013

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

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5 By: /s/ Danielle L. Ochs
DANIELLE L. OCHS
BECKI D. GRAHAM
6 Attorneys for Plaintiff
TOPPAN PHOTOMASKS, INC.
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8 DATED: July 31, 2013

THE BERNSTEIN LAW GROUP, P.C.

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11 By: /s/ Marc Bernstein
MARC BERNSTEIN
WILL FITTON
12 Attorneys for Defendant
KEUN TAEK PARK
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15 **ATTESTATION OF CONCURRENCE IN FILING**

16 In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this
17 document has been obtained from Marc Bernstein.

18 Dated: July 31, 2013

/s/ Danielle L. Ochs
DANIELLE L. OCHS
BECKI D. GRAHAM
19 Attorneys for Plaintiff
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[PROPOSED] ORDER


For good cause showing, the Court grants the relief requested with the following modifications to allow for adequate review between the filing of the reply and the date of the hearing:

1. The TRO and OSC issued against Park on July 19, 2013 (Doc. #16, attached hereto as Exhibit A), shall be extended by agreement of the party, and order of this Court, to August 30, 2013, or until a preliminary injunction has issued, whichever occurs first.

2. The August 1, 2013 OSC preliminary injunction hearing is continued to August 30, 2013 at 9:00 a.m.

3. Any opposition brief shall be filed on or before ~~August 20, 2013~~ August 16, 2013. Any reply brief shall be filed on or before ~~August 28, 2013~~ August 23, 2013.

Dated: July 31, 2013



MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE

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