

1 LATHAM & WATKINS LLP
 Matthew Rawlinson, Bar No. 231890
 2 matt.rawlinson@lw.com
 Ming M. Zhu, Bar No. 291364
 3 ming.zhu@lw.com
 140 Scott Drive
 4 Menlo Park, California 94025-1008
 Telephone: +1.650.328.4600
 5 Facsimile: +1.650.436.2600

6 *Attorneys for Defendant*
 7 *SYMMETRICOM, INC.*

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

12 TODD S. GLASSEY
 13 and
 14 MICHAEL E. MCNEIL,
 15 Plaintiffs,
 16 v.
 17 SYMMETRICOM, INC.,
 18 Defendant.

CASE NO. 3:13-cv-04662 (NC)
 STIPULATION AND ~~PROPOSED~~ ORDER
 TO CONTINUE CASE MANAGEMENT
 CONFERENCE AS MODIFIED.
 Judge: The Honorable Nathanael Cousins
 Date: January 8, 2014
 Time: 10:00 AM
 Dept: Courtroom A, 15th Floor

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 21 WHEREAS, on October 7, 2013, Todd S. Glassey and Michael E. McNeil
 (“Plaintiffs”) filed the above-captioned complaint in this Court;

22
 23 WHEREAS, on October 8, 2013, the Court issued an Order Setting Initial Case
 24 Management Conference and ADR Deadlines setting the initial case management conference for
 25 January 8, 2014 at 10:00 AM (Dkt. No. 5);

26
 27 WHEREAS, on October 31, 2013, Symmetricom, Inc. (“Symmetricom”), agreed
 to waive service of summons and complaint in this case, and acknowledged that its answer or
 28 motion under Rule 12 must be filed within 60 days from October 31, 2013;

1 Dated: December 13, 2013

ROSS BABBITT CO LPA

2 By: /s/ Ross Babbitt

3 Ross Babbitt (*pro hac vice*)
4 700 West St. Clair Avenue
5 Hoyt Block, Suite 200
6 Cleveland, OH 44113
7 Telephone: (216) 623-6346
8 Facsimile: (216) 274-9683

9 MAHANY & ERTL
10 Brian Howard Mahany (*pro hac vice*)
11 P.O. Box 511328
12 Milwaukee, WI 53202

13 STEBURG LAW FIRM
14 Anita L. Steburg, Bar No. 245933
15 1798 Technology Drive, Suite 258
16 San Jose, CA 95110

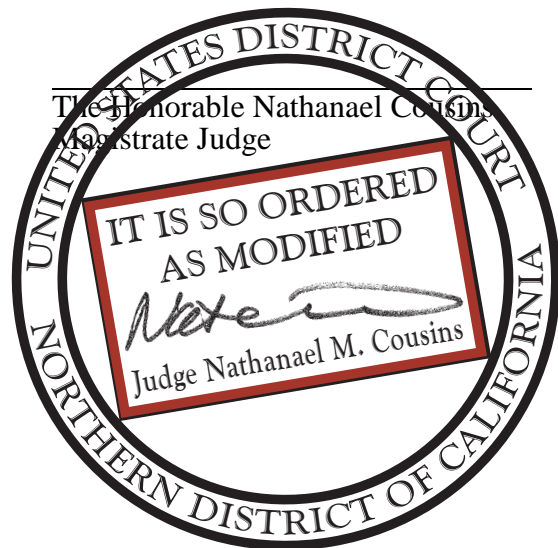
17 *Attorneys for Plaintiffs TODD S. GLASSEY*
18 *and MICHAEL E. MCNEIL.*

19 **~~PROPOSED~~ ORDER**

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21 Dated: December 16 , 2013

22 The Honorable Nathanael Cousins
23 Magistrate Judge



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ELECTRONIC CASE FILING ATTESTATION

Pursuant to Local Rule 5-1 of the Northern District of California, I hereby attest that concurrence in the filing of this document has been obtained from the other signatories.

Dated: December 13, 2013

LATHAM & WATKINS, LLP

By: /s/ Matthew Rawlinson

Matthew Rawlinson
Attorney for Defendant
SYMMETRICOM, INC.