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17 **UNITED STATES DISTRICT COURT**  
 18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 19 **SAN FRANCISCO DIVISION**

20 NOVELPOSTER,  
 21 a California General Partnership,  
 22 Plaintiff,  
 23 vs.  
 24 JAVITCH CANFIELD GROUP,  
 25 business entity form unknown, et al,  
 26 Defendant,

) Case No. 3:13-cv-05186-WHO

) **JUDGE: HON. WILLIAM H. ORRICK**

) **STIPULATION AND ~~PROPOSED~~**  
 ) **ORDER EXTENDING EXPERT**  
 ) **WITNESS REPORT DISCLOSURE AND**  
 ) **REBUTTAL FOR COMPUTER EXPERT**

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 28 \_\_\_\_\_

1 **STIPULATION**

2 Purusant to Local Rule 6-2, Plaintiff NovelPoster and Defendants Mark Javitch and Daniel  
3 Canfield, by their attorneys of record, stipulate to and request a court order amending the Pretrial  
4 Schedule as follows:

5 1. Defendants' disclosure of computer forensics expert Lynell Phillips' expert report,  
6 disclosed on November 6, 2014, deadline, shall be treated for all purposes as if it was disclosed  
7 timely.

8 2. The date for Plaintiff to disclose an expert in rebuttal to Ms. Phillips shall be  
9 extended to add 30 days from November 7, 2014. Because 30 days from November 7, 2014, falls  
10 on a weekend, the date shall be extended to December 8, 2014.

11 3. The cut-off for Plaintiff to complete discovery concerning Ms. Phillips and her  
12 report shall also be extended to December 8, 2014.

13 4. The cut-off for Defendant to complete discovery concerning Plaintiff's rebuttal  
14 expert and his or her report shall be extended to December 31, 2014.

15 5. This stipulation will permit Plaintiff to mitigate any prejudice caused by the timing  
16 of the expert disclosure and permit the introduction of Ms. Phillips' testimony, promoting  
17 adjudication of claims on the merits.

18  
19 This stipulation is contingent on entry of order by the Court.

20  
21 **STIPULATED BY THE PARTIES ON NOVEMBER 14, 2014**

22  
23 /s/ Michael S. Dorsi  
24 Michael S. Dorsi  
25 Counsel for Plaintiff  
26 NovelPoster

/s/ Carlton J. Willey  
Carlton J. Willey  
Counsel for Defendants  
Mark Javitch and Daniel Canfield

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**~~PROPOSED~~ ORDER**

Pursuant to stipulation of the parties, the Court ORDERS that:

1. Plaintiff will be provided an additional 30 days from the November 6, 2014 production of Ms. Phillips's expert report to produce a rebuttal report. As 30 days from November 6, 2014 falls on a Saturday, Plaintiff's amended rebuttal report date is Monday, December 8, 2014.

2. Plaintiff's amended discovery deadline with respect Ms. Phillips is also extended to Monday, December 8, 2014.

3. Defendant's amended discovery deadline with respect to Plaintiff's rebuttal expert is extended to Wednesday, December 31, 2014.

4. This Order does not apply to any Civil Pre-Trial Order deadlines not expressly mentioned herein.

**PURSUANT TO STILUPATION, IT IS SO ORDERED**

DATED: November 24, 2014

  
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Hon. William H. Orrick