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| 5 | Attorneys for Plaintiff and Counterdefendant GENMARK AUTOMATION, INC. | | | |
| 6 | WILSON SONSINI GOODRICH & ROSATI | | | |
| 7 | JAMES C. YOON, CA Bar No. 177155 JYOON@WSGR.COM | | | |
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| 9 | Telephone: (650) 493-9300 Facsimile: (650) 493-6811 | | | |
| 10 | Attorneys for Defendant and Counterclaimant | | | |
| 11 | INNOVATIVE ROBOTICS SYSTEMS, INC. UNITED STATES DISTRICT COURT | | | |
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| 13 | NORTHERN DISTRICT OF CALIFORNIA | | | |
| 14 | UAKLANI | D DIVISION | | |
| 15 16 | GENMARK AUTOMATION, INC., a California corporation, | CASE NO. 05-cv-04707 PJH | | |
| 10 | Plaintiff, Counterdefendant, | STIPULATION FOR ORDER | | |
| 17 | V. | CONTINUING CASE MANAGEMENT CONFERENCE FOR 30 DAYS | | |
| 10 | INNOVATIVE ROBOTICS SYSTEMS, INC., | Local Rules 6-2 and 7-12 | | |
| 20 | a California corporation, | | | |
| | Defendant, Counterclaimant. | Hon. Phyllis J. Hamilton | | |
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| 23 | Plaintiff, Genmark Automation, Inc. ("Genmark") and Defendant, Innovative Robotics | | | |
| 24 | Systems, Inc., ("IRSI") (Genmark and IRSI are collectively "the Parties") hereby stipulate and | | | |
| 25 | agree to seek an order continuing the Case Management Conference which has been set by the | | | |
| 26 | Court to occur on December 2, 2010 by the Court's Order dated October 19, 2010 (Docket Item | | | |
| 27 | No. 126). The facts supporting this Stipulation are in the Declaration of James C. Yoon filed | | | |
| 28 | herewith and which is Exhibit A hereto ("Yoon Decl."). | | | |
| | STIPULATION FOR ORDER CONTINUING CASE MANAGEMENT CONFERENCE FOR 30 DAYS CASE NO. 05-cv-04707 PJH | | | |
| | Dockets.Justia | | | |

| 1 | Plaintiff and Defendant request the continuation of this case management conference in | | |
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| 2 | order to have additional time to pursue settlement discussions and to prepare settlement | | |
| 3 | documentation. See Yoon Decl. ¶ 3. Settlement work has progressed since the filing of the last | | |
| 4 | stipulated request for an order continuing the case management conference on October 14, 2010. | | |
| 5 | During the last month, the Parties have met and conferred frequently regarding settlement, and | | |
| 6 | have come to agreement on most material terms. They are now in the process of finalizing | | |
| 7 | settlement documents. See Yoon Decl. ¶ 3. | | |
| 8 | The Parties request a further thirty day extension or continuation of the case management | | |
| 9 | conference to facilitate their efforts to resolve this case without additional litigation. See Yoon | | |
| 10 | Decl. ¶ 3. | | |
| 11 | WHEREFORE, Plaintiff, Genmark Automation, Inc., and Defendant, Innovative | | |
| 12 | Robotics, Inc., stipulate and agree that the Case Management Conference should be continued to | | |
| 13 | a date that is at least 30 days after December 2, 2010, which will allow the Parties an additional | | |
| 14 | 39 days to seek a final settlement of the case. The case management conference is continued to January 6, 2011 at 2:00 p.m. | | |
| 15 | | | |
| 16 | Respectfully Submitted, Detect. Newamber 22, 2010 MeRharlin Sprinklag, & Thomas LLP | | |
| 17 | Dated: November 23, 2010 McPharlin Sprinkles & Thomas LLP | | |
| 18 | By: <u>/s/Robert E. Camors, Jr.</u> | | |
| 19 | Robert E. Camors, Jr. Attorneys for Plaintiff Genmark Automation, Inc. | | |
| 20 | | | |
| 21 | Dated: November 23, 2010 Wilson Sonsini Goodrich & Rosati | | |
| 22 | By: <u>/s/ James C. Yoon</u> James C. Yoon | | |
| 23 | Attorneys for Defendant Innovative Robotics Systems, Inc. | | |
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| | STIPULATION FOR ORDER CONTINUING CASE MANAGEMENT CONFERENCE FOR 30 DAYS CASE NO. 05-cv-04707 PJH | | |
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| 1 | PURSUANT TO STIPULATION, IT IS SO ORDERED |
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| 3 | Dated: November 29 , 2010 |
| 4 | Dated: <u>November 29</u> , 2010 Hon. Phyllis J. Hamilton U.S. District Court |
| 5 | TT IS SO ORDERED |
| 6 | |
| 7 | Z Judge Phyllis J. Hamilton |
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| | STIPULATION FOR ORDER CONTINUING CASE MANAGEMENT CONFERENCE FOR 30 DAYS CASE NO. 05-cv-04707 PJH |
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| 1 | CERTIFICATE OF CONFERENCE | | | |
|----|---|--|--|--|
| 2 | I hereby certify that counsel for Plain | I hereby certify that counsel for Plaintiff and Defendant conferred on the 23rd day of | | |
| 3 | November, 2010, and that this stipulation w | as signed by the attorneys whose names appear | | |
| 4 | above. | | | |
| 5 | | | | |
| 6 | Dated: November 23, 2010 | <i>/s/ James C. Yoon</i> James C. Yoon | | |
| 7 | | Attorneys for Defendant Innovative Robotics Systems, Inc. | | |
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| | CASE N | CASE MANAGEMENT CONFERENCE FOR 30 DAYS O. 05-cv-04707 PJH | | |
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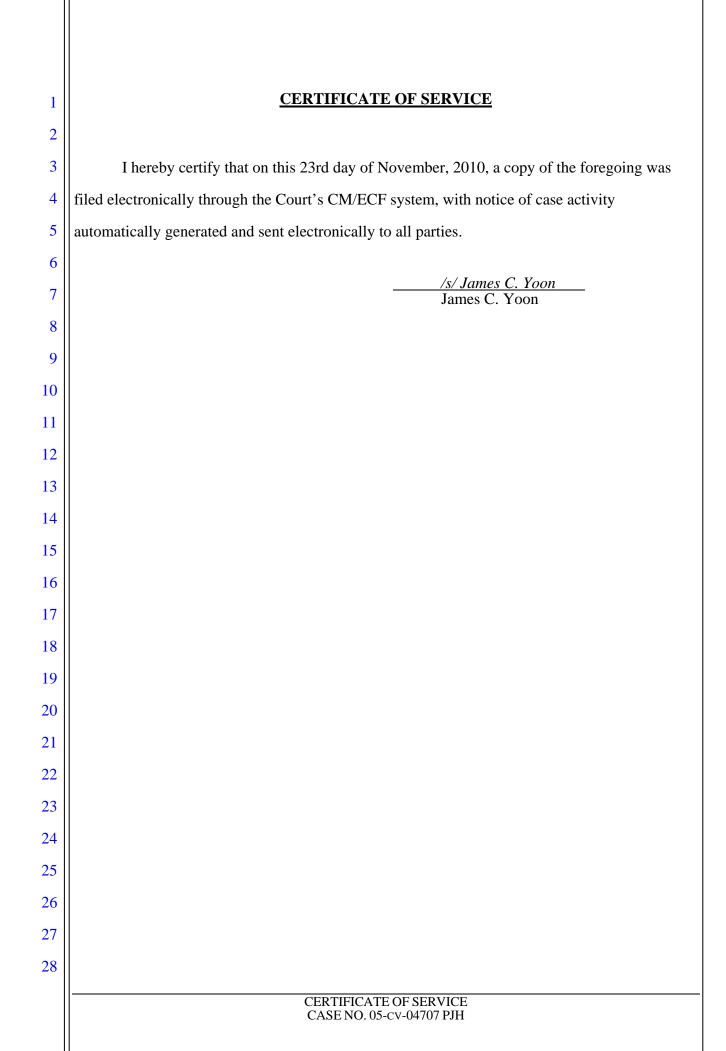


Exhibit A

| 1 | WILSON SONSINI GOODRICH & ROSATI JAMES C. YOON, CA Bar No. 177155 JYOON@WSGR.COM 650 Page Mill Road Palo Alto, CA 94304-1050 | | |
|--------|--|---|--|
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| 3 | | | |
| 4 | Telephone: (650) 493-9300 Facsimile: (650) 493-6811 | | |
| 5 | Attorneys for Defendant and Counterclaimant INNOVATIVE ROBOTICS SYSTEMS, INC. | | |
| 6 7 | UNITED STATES DISTRICT COURT | | |
| 8 | NORTHERN DISTRICT OF CALIFORNIA | | |
| 9 | OAKLAND DIVISION | | |
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| 11 | GENMARK AUTOMATION, INC., a California corporation, | CASE NO. 05-cv-04707 PJH | |
| 12 | Plaintiff, Counterdefendant, | DECLARATION OF JAMES C. YOON IN | |
| 13 | v. | SUPPORT OF STIPULATION FOR ORDER CONTINUING CASE | |
| 14 | INNOVATIVE ROBOTICS SYSTEMS, INC., a California corporation, | MANAGEMENT CONFERENCE FOR 30 DAYS | |
| 15 | Defendant, Counterclaimant. | | |
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| | YOON DECLARATION IN SUPPORT OF STIPULATION FOR ORDER CONTINUING CMC CASE NO. 05-cv-04707 PJH | | |

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I, James C. Yoon, Jr., declare:

1. I am counsel of record for defendant Innovative Robotics Systems, Inc. ("IRSI").
I have personal knowledge of the matters stated herein and, if called as a witness, I could and
would testify competently thereto.

- 5 2. I make this declaration in support of the Stipulation for Order Continuing Case
 6 Management Conference for 30 Days, which is concurrently being filed herewith.
- 3. Since the filing of the Stipulation for Order Continuing Case Management 7 Conference on October 14, 2010, and the Court's order of October 19, 2010 continuing the Case 8 Management Conference to December 2, 2010, the parties have met and conferred frequently to 9 discuss the material terms of the settlement agreement. The parties have now come to agreement 10 as to most material terms, and are in the process of finalizing the settlement documents. In view 11 of the fact that active settlement negotiations are still occurring, Mr. Robert Camors, counsel of 12 record for plaintiff Genmark, and I think that it continues to be in the interests of justice, 13 especially as between these two parties, to seek an order from the Court to defer the Court-14 ordered December 2, 2010 Case Management Conference for another thirty days. We are of the 15 view that this settlement process is still continuing to move forward. 16 In the past, there have been three continuances sought and granted for this Case 17
- Management Conference. The case has been on Court-ordered stay commencing on November
 3, 2006 until the present. The case was filed on November 16, 2005.

I declare under penalty of perjury under the laws of the United States that the foregoing is
true and correct and that his declaration was signed in Palo Alto, California

22 23 Dated: November 23, 2010

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/s/ James C. Yoon James C. Yoon