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 THE FREECYCLE NETWORK, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

FREECYCLESUNNYVALE,
 a California unincorporated association,

Plaintiff,

v.

THE FREECYCLE NETWORK,
 an Arizona corporation,

Defendant.

CASE NO. C06-00324 CW

**STIPULATED REQUEST FOR ORDER
 CHANGING TIME UNDER CIVIL L.R. 6-2**

Before: Honorable Claudia Wilken

THE FREECYCLE NETWORK, INC., an
 Arizona Corporation,

Counterclaimant,

v.

FREECYCLESUNNYVALE, a California
 unincorporated association,

Counterdefendant.

1 PURSUANT TO CIVIL L.R. 6-2, Defendant The Freecycle Network, Inc. ("The
2 Freecycle Network") and Plaintiff FreecycleSunnyvale ("FreecycleSunnyvale") respectfully
3 request this Court to enter an order changing the hearing date on FreecycleSunnyvale's Motion
4 for Summary Adjudication Under Federal Rule of Civil Procedure 56 ("Motion").

5 I. INTRODUCTION

6 FreecycleSunnyvale's Motion is currently scheduled to be heard on August 23, 2007. For
7 the following reasons, The Freecycle Network and FreecycleSunnyvale respectfully request that
8 the hearing date be changed to September 6, 2007.

9 II. REASONS FOR THE REQUESTED ENLARGEMENT OF TIME

10 As stated above, the hearing on FreecycleSunnyvale's Motion is currently set for August
11 23, 2007. However, each attorney representing The Freecycle Network has a conflict on this
12 specific date. The Freecycle Network's counsel will, as a result, be unavailable on the date of the
13 hearing. Additionally, The Freecycle Network intends to file a cross-motion to the extent it is
14 unable to resolve its differences on a discovery issue that directly impacts the Motion. The
15 parties have been meeting and conferring on this issue and have agreed to work together to
16 resolve their respective issues regarding the cross-motion. Counsel for both parties are available
17 for a hearing on September 6, 2007.

18 III. DISCLOSURE OF PREVIOUS TIME MODIFICATIONS

19 While the parties to this matter have previously sought orders modifying deadlines in this
20 case, the present joint stipulation is the first request for a time modification specific to Plaintiff's
21 Motion. Prior requests for modification have pertained generally to the deadline within which to
22 complete court-connected mediation and the discovery cutoff. *See* Order (June 2, 2006; Docket
23 No. 35); Order (August 1, 2006; Docket No. 44); Order (October 3, 2006; Docket No. 57); Order
24 (December 22, 2006; Docket No. 62); Order (April 3, 2007; Docket No. 65).

25 IV. EFFECT OF THE TIME MODIFICATION ON THE SCHEDULE OF THE CASE

26 On July 28, 2007, this Court signed an Order Changing Time for Fact Discovery Cutoff
27 and Other Deadlines, extending the deadline to file dispositive motions to January 10, 2008.
28 Order (July 26, 2007; Docket No. 78). Accordingly, changing the hearing date on Plaintiff's

1 Motion to September 13, 2007, four months prior to the deadline to submit dispositive motions,
2 will not impact the remaining schedule for this case.

3 **V. CONCLUSION**

4 For the foregoing reasons, the parties respectfully request an order changing time that
5 changes the hearing date on Plaintiff's Motion from August 23, 2007, to September 6, 2007.

6
7 Dated: July 27, 2007

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10 By: /s/ Esha Bandyopadhyay
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12 Attorneys for Defendant
THE FREECYCLE NETWORK, INC.

13 Dated: July 27, 2007

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19 *Filer's Attestation: Pursuant to General Order No. 45, Section*
20 *X(B), the filer hereby attests that the signatories' concurrence in*
21 *the filing of this document has been obtained.*