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8 Attorneys for Defendant
 9 BALLY TECHNOLOGIES, INC.

10 UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION

13 STEPHEN RACE,
 14 Plaintiff,
 15 v.
 16 BALLY TECHNOLOGIES, INC.,
 17 a Nevada Corporation,
 18 Defendant.

CASE NO. C07-5475 CW

**STIPULATION AND ~~PROPOSED~~
 ORDER RE SCHEDULING OF CASE
 MANAGEMENT CONFERENCE AS MODIFIED**

Old Date: February 12, 2008
 Time: 2:00 pm
 New Date: February 26, 2008
 Time: 2:00 pm
 Judge: Hon. Claudia Wilken
 Location: Courtroom 2, 4th Floor

Gibson, Dunn & Crutcher LLP

1 WHEREAS on November 28, 2007, this Court scheduled a Case Management Conference for
2 February 12, 2008;

3 WHEREAS on January 22, 2008, the parties filed their ADR Certifications;

4 WHEREAS on January 29, 2008, the parties filed their initial, joint Case Management
5 Statement, Stipulation and Proposed Order Consenting to Mediation, and Report of Rule 26(f)
6 Planning Conference;

7 WHEREAS counsel for Defendant is not available on February 12, 2008, due to a conflict
8 caused by another matter;

9 WHEREAS the parties agree to continue the Case Management Conference to February 26,
10 2008;

11 WHEREAS the parties agree that the initial disclosures of each party will continue to be due
12 on February 5, 2008, notwithstanding this rescheduling, in order to avoid any delay;

13 WHEREAS the parties agree that nothing in this agreement shall be construed to prejudice or
14 limit any party's rights to make or oppose any application or motion with respect to coordination or
15 future scheduling of these matters;

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1 IT IS THEREFORE STIPULATED AND AGREED AMONG THE PARTIES AS FOLLOWS:

- 2 1. The Case Management Conference, currently set for February 12, at 2:00 pm, in
- 3 Courtroom 2, shall be continued to February 26, at 2:00 pm.
- 4 2. Initial disclosures will continue to be due on February 5, 2008.
- 5 3. Nothing in this agreement shall be construed to prejudice or limit any party's rights to
- 6 make or oppose any application or motion with respect to coordination or future scheduling of these
- 7 or other matters.

9 DATED: February 4, 2008

GIBSON, DUNN & CRUTCHER LLP
ETHAN D. DETTMER
JAIME D. BYRNES

12 By: Jaime D. Byrnes
13 Jaime D. Byrnes / *sh*

14 Attorneys for Bally Technologies, Inc.

17 DATED: February 4, 2008

McGUINN, HILLSMAN & PALEFSKY
CLIFF PALEFSKY
CAROLYN LEARY

20 By: Cliff Palefsky
21 Cliff Palefsky

22 Attorneys for Stephen Race

23 IT IS SO ORDERED, EXCEPT THE CASE MANAGEMENT CONFERENCE IS
24 CONTINUED TO MARCH 4, 2008, AT 2:00 P.M.

25 Claudia Wilken DATE: 2/8/08
26 Honorable Claudia Wilken