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 Michael Taylor Designs, Inc.

12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15

16 WILLIAM GIFFEN, an individual and the
 successor-in-interest to IVY ROSEQUIST,
 17 individually and doing business as WICKER-
 WICKER-WICKER
 18 Plaintiff
 19 vs.
 20 MICHAEL TAYLOR DESIGNS, INC., a
 California Corporation,
 21 Defendant

Case No.: CV 08-1588 SBA (BZ) (EDL)

**STIPULATION AND [PROPOSED]
 ORDER FOR APPEARANCE AT
 DEPOSITION AND FOR
 PRODUCTION OF DOCUMENTS**

22 MICHAEL TAYLOR DESIGNS, INC., a
 23 California corporation,
 24 Counter-claimant
 vs.

25 WILLIAM GIFFEN, an individual and the
 successor-in-interest to IVY ROSEQUIST,
 26 individually and doing business as
 WICKER-WICKER-WICKER,
 27 Counter-defendant
 28

1 Plaintiff William Giffen, as substituted party plaintiff and counter-defendant (“Giffen”)
2 and defendant and counter-complainant, Michael Taylor Designs, Inc. (“MTD”), by and through
3 their respective counsel of record, agree: (a) that William Giffen will appear for deposition on a
4 date mutually convenient to the parties but no later than February 19, 2010; and (b) that William
5 Giffen will produce on or before February 12, 2010 all documents and electronically stored
6 information that are in his possession, custody or control and that are responsive to MTD’s
7 November 18, 2009 Request for Production.

8 The parties further agree that any failure by Giffen to honor this stipulation shall be
9 deemed to be the equivalent of a failure to abide by a discovery order and may result in sanctions
10 pursuant to Federal Rule of Civil Procedure 16(f) and the provisions of Judge Elizabeth D.
11 Laporte’s January 6, 2010 Order Re Discovery Procedures and Setting Motion Hearing.

12 Giffen having acknowledged the obligation to provide the requested discovery, the
13 parties further agree that the motions to compel presently set for hearing on February 2, 2010
14 shall be taken off calendar. Giffen’s counsel will both file this stipulation and deliver by
15 messenger a courtesy copy of this stipulation to Judge Elizabeth D. Laporte.

16 SO STIPULATED:

17 Dated: January 27, 2010

SEILER EPSTEIN ZIEGLER & APPEGATE LLP

19 By: /s/ Douglas A. Applegate
20 Douglas A. Applegate, Esq.

21 Attorneys for Plaintiff and Counterdefendant
22 Ivy Rosequist, individually and doing business as
Wicker-Wicker-Wicker

23 Dated: January 27, 2010

ROPERS, MAJESKI, KOHN & BENTLEY

25 By: /s/ Lael D. Andara
26 Lael D. Andara, Esq.

27 Attorneys for Defendant and Counterclaimant
28 Michael Taylor Designs, Inc.

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: February 1, 2010

Elizabeth D. Laporte

JUDGE ELIZABETH D. LAPORTE