

1 Kevin D. Lally (SBN 095374)
 Edward Romero (SBN 148495)
 2 GREENAN, PEPPER, SALLANDER & LALLY LLP
 6111 Bollinger Canyon Road, Suite 500
 3 San Ramon, California 94583
 Telephone: (925) 866-1000
 4 Facsimile: (925) 830-8787
 Email: Er Romero@gpsllp.com

5 Mary McNamara (SBN 147131)
 August Gugelmann (SBN 240544)
 6 SWANSON, McNAMARA & HALLER LLP
 300 Montgomery Street, Suite 1100
 7 San Francisco, California 94104
 Telephone: (415) 477-3800
 8 Facsimile: (415) 477-9010
 9 Email: MMcnamara@SMHlegal.com

10 Attorneys for Plaintiffs
 MASSIMILIANO MARTONE and
 11 MARTONE RADIO TECHNOLOGY, INC.

12
 13 **UNITED STATES DISTRICT COURT**
 14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 15 **OAKLAND DIVISION**

17 MASSIMILIANO MARTONE, an individual;)
 MARTONE RADIO TECHNOLOGY, INC., a)
 18 Nevada Corporation,)
 19 Plaintiffs,)
 20 vs.)
 21 DAVID BURGESS, an individual; KESTREL)
 SIGNAL PROCESSING, INC., a California)
 22 Corporation; RANGE NETWORKS, INC.)
 23 Defendants.)

Case No. 08-2379 CW
SECOND STIPULATION AND
ORDER GRANTING BRIEF
EXTENSIONS ON THE DEADLINES
RELATING TO MEDIATION AND
ADDITION OF NEW PARTIES

24
 25 Plaintiffs Massimiliano Martone (“Martone”) and Martone Radio Technology, Inc.
 26 (“MRT”) and Defendants David Burgess (“Burgess”), Kestrel Signal Processing, Inc. (Kestrel”)
 27 and Range Networks, Inc. (“Range”), (collectively, the “Parties”), by and through their
 28 respective attorneys, stipulate and agree as follows:

Greenan,
 Peffer,
 Sallander &
 Lally LLP

1 1. On August 28, 2008, at the first Case Management Conference in this case, the
2 Court set a series of deadlines for the management of this case. Relevant to this stipulation is the
3 Court's setting of January 30, 2009 as both the deadline to add additional parties and for
4 mediation to have occurred (taking into account the mediator's schedule). Case Management
5 Order, dated September 5, 2008 (Docket No. 18.)

6 2. Upon stipulation of the parties, on February 2, 2009, the Court ordered that the
7 time within which to complete mediation and to add additional parties (should mediation fail) be
8 extended to February 27, 2009.

9 3. On February 17, 2009, the parties submitted to mediation before Judge Edward
10 Infante (Ret.) of JAMS and discussed a proposed framework for settlement of this case. Final
11 settlement is contingent upon the parties' reaching a definitive written settlement agreement on
12 all specific terms, the details of which remain to be worked out. Accordingly, the parties wish to
13 postpone the deadline to add additional parties until March 18, 2009, a date by which the parties
14 will have concluded a settlement of this matter or will have determined that a settlement is not
15 tenable. It is submitted that such an adjustment to the Court's scheduling order will facilitate the
16 potential settlement of this case and will conserve judicial resources.

17 4. At this time, the Parties do not seek any change to the remaining deadlines in the
18 Court's September 5 scheduling order, including, without limitation, the time to assert additional
19 claims against the Parties to the action.
20

21 STIPULATED AND AGREED

23 /s/ Edward Romero
24 Kevin D. Lally (SBN 095374)
25 Edward Romero (SBN 148495)
26 GREENAN, PEFFER, SALLANDER
& LALLY, LLP
27 6111 Bollinger Canyon Road, Suite 500
San Ramon, California
28 Telephone: (925) 866-1000
Facsimile: (925) 830-8787
Email: Eromero@gpsllp.com

/s/ Mary McNamara
Mary McNamara (SBN 147131)
August Gugelmann (SBN 240544)
SWANSON, McNAMARA &
HALLER LLP
300 Montgomery Street, Suite 1100
San Francisco, California 94104
Telephone: (415) 477-3800
Facsimile: (415) 477-9010
mmcnamara@smhlegal.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

/s/ Christopher W. Sweeney
Christopher W. Sweeney, Esq. (SBN 143217)
Law Offices of Christopher W. Sweeney
1500 Oliver Road, Suite K, PMB 321
Fairfield, California 94533
Telephone: (707) 435-1244
Facsimile: (707) 435-1245
cwslaw@comcast.net

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 2/24/09



Hon. Claudia Wilken
United States District Court

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28