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5 Attorney for Plaintiff  
 6 PROTECH DIAMOND TOOLS  
 7 INCORPORATION

8 IN THE UNITED STATES DISTRICT COURT  
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 10 OAKLAND DIVISION

11 PROTECH DIAMOND TOOLS	)	Case No. C 08-3684 SBA
12 INCORPORATION, a California Corporation,	)	<b>REQUEST AND ORDER EXTENDING INITIAL CASE MANAGEMENT AND ADR DEADLINES</b>
	)	
13 Plaintiff,	)	
14 vs.	)	
	)	
15 DAVID LIAO, an individual,	)	
16 PROTECH DIAMOND TOOLS INC., a	)	
17 Canadian Corporation, and PROTECH	)	
DIAMOND USA, INC., a California	)	
Corporation and DOES 1-10,	)	
	)	
18 Defendants.)	)	

19 Plaintiff Protech Diamond Tools Incorporation filed its Complaint for Trademark  
 20 Infringement, False Designation of Origin and Unfair Competition on August 1, 2008 against  
 21 three defendants: David Liao, Protech Diamond Tools Inc. and Protech Diamond USA, Inc.

22 Plaintiff served Protech Diamond USA, Inc. on August 11, 2008 and filed its Certificate  
 23 of Service with the Court on August 27, 2008.

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24 **REQUEST AND [PROPOSED] ORDER EXTENDING INITIAL CASE MANAGEMENT CONFERENCE  
 25 AND ADR DEADLINES  
 CASE NO. C 08-3684 SBA**

1 On September 2, 2008, Plaintiff sent Requests for Waiver and Waivers of Service to  
2 counsel for the remaining defendants, Mr. David Liao and Protech Diamond Tools Inc., which  
3 are both Canadian entities (“Canadian Defendants”). Accordingly, the Canadian Defendants  
4 will have ninety days, or until December 1, 2008, by which to respond to Plaintiff’s Complaint.  
5 Fed. R. Civ. Proc. 4(d), 12(a)(1)(A)(ii).

6 On September 2, 2008, Plaintiff filed a Request for Extension of Time for Defendant  
7 Protech Diamond USA, Inc. to respond to the Complaint as it is related to the Canadian  
8 Defendants. This Court granted Plaintiff’s Request and issued an Order dated September 2,  
9 2008 granting Defendant Protech Diamond USA, Inc. until December 1, 2008 by which to file  
10 its answer.  
11

12 As the time for all three defendants to respond to the Complaint is now set for well after  
13 the initial case management and alternative dispute resolution scheduled deadlines, Plaintiff  
14 respectfully requests under Rule 6(b)(1) of the Federal Rules of Civil Procedure, that the Court  
15 extend the dates set forth in its Order Setting Initial Case Management Conference and ADR  
16 Deadlines issued August 1, 2008 and the Clerk’s Notice filed August 6, 2008 by ninety (90)  
17 days as follows, or as soon thereafter as the Court deems convenient:

18 1. Last day to meet and confer re: initial disclosures, early settlement, ADR  
19 process selection, and discovery plan; file joint ADR Certification with Stipulation to ADR  
20 Process or Notice of Need for ADR Phone conference is extended to **January 13, 2009**;

21 2. Last day to complete initial disclosures or state objection in Rule 26(f) Report,  
22 file Case Management Statement and file/serve Rule 26(f) Report is extended to **January 27,**  
23 **2009**; and  
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IT IS SO ORDERED.

DATED: \_9/15/08

By: *Saundra B. Armstrong*  
HON. SAUNDRA B. ARMSTRONG  
United States District Court Judge