ANNE HIARING HOCKING, Esq. State Bar No. 88639 Law Office of Anne Hiaring 711 Grand Avenue, Suite 260		
Email: anne@hiaringlaw.com		
Attorney for Plaintiff		
INCORPORATION		
IN THE UNITED STATES DISTRICT COURT		
FOR THE NORTHERN DISTRICT OF CALIFORNIA OAKLAND DIVISION		
PROTECH DIAMOND TOOLS)	Case No. C 08-3684 SBA	
INCORPORATION, a California Corporation,	REQUEST AND ORDER EXTENDING	
Plaintiff,)	INITIAL CASE MANAGEMENT AND ADR DEADLINES	
vs.		
DAVID LIAO, an individual,		
Canadian Corporation, and PROTECH		
Corporation and DOES 1-10,		
Defendants.		
Plaintiff Protech Diamond Tools Incorpo	pration filed its Complaint for Trademark	
Infringement, False Designation of Origin and Unfair Competition on August 1, 2008 against		
three defendants: David Liao, Protech Diamond Tools Inc. and Protech Diamond USA, Inc.		
Plaintiff served Protech Diamond USA, Inc. on August 11, 2008 and filed its Certificate		
of Service with the Court on August 27, 2008.		
REQUEST AND [PROPOSED] ORDER EXTENDING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES CASE NO. C 08-3684 SBA - 1 -		
	Dockets.Ju	
	Law Office of Anne Hiaring 711 Grand Avenue, Suite 260 San Rafael, CA 94901 Telephone: (415) 457-2040 Facsimile: (415) 457-2822 Email: anne@hiaringlaw.com Attorney for Plaintiff PROTECH DIAMOND TOOLS INCORPORATION IN THE UNITED STAT FOR THE NORTHERN DI OAKLAND PROTECH DIAMOND TOOLS) INCORPORATION, a California Corporation,) Plaintiff,) vs.) DAVID LIAO, an individual,) PROTECH DIAMOND TOOLS INC., a Canadian Corporation, and PROTECH DIAMOND USA, INC., a California Corporation and DOES 1-10,) Plaintiff Protech Diamond Tools Incorpor Infringement, False Designation of Origin and U three defendants: David Liao, Protech Diamond Plaintiff served Protech Diamond USA, of Service with the Court on August 27, 2008. REQUEST AND [PROPOSED] ORDER EXTENDIN AND ADR D CASE NO. C	

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). б 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 As the time for all three defendants to respond to the Complaint is now set for well after 12 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 24 25 REQUEST AND [PROPOSED] ORDER EXTENDING INITIAL CASE MANAGEMENT CONFERENCE

AND ADR DEADLINES CASE NO. C 08-3684 SBA

1	3. The Case Management Conference scheduled for November 5, 2008 at 3:00 p.m,		
2	see Docket No. 2, shall be CONTINUED to February 4, 2009 at 2:30 p.m. The parties shall		
3	meet and confer prior to the conference and shall prepare a joint Case Management		
4	Conference Statement which shall be filed no later than ten (10) days prior to the Case		
5	Management Conference that complies with the Standing Order for all Judges of the Northern		
6	District of California and the Standing Order of this Court. Plaintiff(s) shall be responsible for		
7 8	filing the statement as well as for arranging the conference call. All parties shall be on the line		
9	and shall call (510) 637-3559 at the above indicated date and time.		
10	Plaintiff believes good cause exists for the Court to grant this extension of the initial		
11	case management and alternative dispute resolution deadlines because the defendants will not		
12	have appeared prior to the expiration of the current scheduled deadlines. Accordingly, the		
13	disclosure of information as required by the Federal Rules of Civil Procedure and this Court's		
14	Local Rules cannot meaningfully be exchanged and discussed until all parties are before this		
15	Court.		
16			
17	Respectfully submitted,		
18	DATED: September 12, 2008 LAW OFFICE OF ANNE HIARING		
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20	By: <u>/anne hiaring hocking/</u>		
21 22	ANNE HIARING HOCKING, Esq. Attorney for Plaintiff		
23	PROTECH DIAMOND TOOLS INCORPORATION		
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	PEOLIEST AND IPROPOSEDLORDER EXTENDING INITIAL CASE MANAGEMENT CONFERENCE		
	REQUEST AND [PROPOSED] ORDER EXTENDING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES CASE NO. C 08-3684 SBA - 3 -		

1	¹ IT IS SO ORDERED.		
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3	3 DATED: _9/15/08 By: .	HON. SAUNDRA B. ARMSTRONG	
4		United States District Court Judge	
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	REQUEST AND [PROPOSED] ORDER EXTENDING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES CASE NO. C 08-3684 SBA - 4 -		