

1 MARK B. FREDKIN, ESQ. (SBN 53550)
 2 WILLIAM SIAMAS, ESQ. (SBN 133111)
 3 DAVID A. KAYS, ESQ. (SBN 120798)
 4 MORGAN, FRANICH, FREDKIN & MARSH
 99 Almaden Boulevard, Suite 1000
 San Jose, California 95113-1613
 Telephone: (408) 288-8288
 Facsimile: (408) 288-8325

5 Attorneys for Plaintiff/Counter-Defendant
 WHITTLESTONE, INC.

6 HERZOG CREBS LLP
 7 Peter W. Herzog, *Pro Hac Vice*
 Michael A. Vitale, *Pro Hac Vice*
 8 100 North Broadway, 14th Floor
 St. Louis, MO 63102
 9 Telephone: (314) 231-6700
 Facsimile: (314) 231-4656
 10 E-Mail address: pwh@herzogcrebs.com
 mav@herzogcrebs.com

11 BURNHAM BROWN
 12 Dean Pollack State Bar No. 176440
 Rohit A. Sabnis, State Bar No. 221465
 13 1901 Harrison Street, 11th Floor
 Oakland, CA 94612
 14 Telephone: (510) 444-6800
 Facsimile: (510) 835-6666
 15 E-Mail address: dpollack@burnhambrown.com
 rsabnis@burnhambrown.com

16 Attorneys for Defendant/Counter-Claimant
 17 HANDI-CRAFT COMPANY

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA
 20 OAKLAND DIVISION

21 WHITTLESTONE, INC., a California
 22 corporation,
 23 Plaintiff,
 24 v.
 25 HANDI-CRAFT COMPANY, a Missouri
 26 corporation,
 27 Defendants.

No. CV 08-04193 SBA
 Assigned to the Hon. Sandra B.
 Armstrong, Courtroom 3

**STIPULATION FOR ORDER AND
 ORDER RESETTING DATE FOR
 HANDI-CRAFT TO FILE
 OBJECTIONS TO WHITTLESTONE'S
 TRIAL EXHIBITS**

1 HANDI-CRAFT COMPANY,

2 Counter-Claimant,

3 v.

4 WHITTLESTONE, INC.,

5 Counter-Defendant.

6
7 Pursuant to Civil Local Rules 7-1(a)(5) and 7-12 and Federal Rules of Civil Procedure
8 (“FRCivP”) 16(b)(4), Plaintiff Whittlestone, Inc. (“Whittlestone”) and Defendant Handi-Craft
9 Company (“Handi-Craft”), by and through their counsel, hereby stipulate to the following:

10 **WHEREAS**, pursuant to the pretrial order the parties’ were required to exchange
11 exhibits on April 2, 2013;

12 **WHEREAS**, despite timely delivery by Whittlestone to Fedex for an April 2, 2013
13 delivery of Whittlestone’s trial exhibits to Handi-Craft, Fedex failed to deliver Whittlestone's
14 trial exhibits to Handi-Craft until April 3, 2013;

15 **WHEREAS**, the current date for filing objections to trial exhibits is April 9, 2013; and

16 **WHEREAS**, as a result of the Fedex delivery issue, the parties agree that Handi-Craft
17 should have an extra day to file its objections to Whittlestone’s trial exhibits;

18 **NOW THEREFORE**, the parties have agreed to the following resetting of the date for
19 Handi-Craft to file its objections to Whittlestone’s trial exhibits to April 10, 2013.

20 **IT IS SO STIPULATED.**

21 Dated: March 28, 2013

22 MORGAN, FRANICH, FREDKIN & MARSH

23 By: /S/ Mark B. Fredkin

24 Mark B. Fredkin

25 Attorneys for Plaintiff

26 WHITTLESTONE, INC.

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

Dated: March 28, 2013

HERZOG CREBS LLP

By: /s/ Michael A. Vitale

MICHAEL A. VITALE
Attorneys for Defendant/Counter-Claimant
HANDI-CRAFT COMPANY

ORDER

Pursuant to the above Stipulation, the date for Handi-Craft to file its objections to Whittlestone’s trial exhibits shall now be April 10, 2013.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April 4, 2013



HON. SAUNDRA B. ARMSTRONG
UNITED STATES DISTRICT JUDGE

P:\1000\1013\1013-0037\Stipulation.doc