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 and DAVID LEE
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9
 10 UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION

13 CAREY F. DALY,

14 Plaintiff,

15 v.

16 PEARL SPIRITS, INC., a California
 17 corporation, PATRICK SILVAGNIA, DAVID
 LEE, LUXCO, INC., a Missouri corporation and
 18 DOES 1-100 inclusive,

19 Defendants.

Case No. 4:08-cv-04398-PJH

**STIPULATION AND ORDER TO
 FURTHER EXTEND TIME FOR
 DEFENDANTS TO SEEK FEES AND
 COSTS**

20 The parties, Plaintiff CAREY F. DALY and Defendants PATRICK SILVAGNIA,
 21 DAVID LEE, and PEARL SPIRITS, INC., by and through their counsel of record, hereby
 22 stipulate and agree to extend the time for Defendants to file (1) a motion seeking attorneys fees
 23 and expenses, pursuant to Rule 37(c)(2) and Rule 11 of the Federal Rules of Civil Procedure, or
 24 under contract as a prevailing party, and (2) a bill of costs pursuant to Civil Local Rule 54-1.

25 Pursuant to the previous Stipulation and Order submitted by the parties and entered by the
 26 Court on December 8, 2009, the current deadline for the above motions and bill of costs is
 27 January 8, 2010.

28 The parties are currently attempting to reach an informal resolution of certain matters,

1 including the resolution of fees and costs. An extension of the above deadline is necessary and
2 desirable to allow further time for the parties to attempt to reach such a resolution. The parties
3 agree and stipulate that the time to file any such motion or bill of costs shall be extended to and
4 including January 18, 2010.

5 **SO STIPULATED.**

6 Dated: January 7, 2010

WEYAND LAW FIRM, P.C.

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8 /s/ Alexander M. Weyand

Alexander M. Weyand
9 Attorneys for Defendants PATRICK SILVAGNIA
and DAVID LEE

10 Dated: January 7, 2010

LAW OFFICES OF ERIC C. SHAW

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13 /s/ Eric C. Shaw

Eric C. Shaw
14 Attorneys for Defendant PEARL SPIRITS, INC.

15 Dated: January 7, 2010

LAW OFFICES OF PAUL J. STEINER

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17 /s/ Paul J. Steiner

Paul J. Steiner
18 Attorneys for Plaintiff CAREY F. DALY,
19 individually and as assignee

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21
22 Dated: 1/13/10

23 Hon. Phyllis J. Hamilton

