

1 [JOINT FILING — SEE SIGNATURE PAGE FOR COUNSEL]

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

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12 PartsRiver, Inc.,) No. 4:09-cv-00811-CW (filed Feb. 25, 2009)

13)

14) *Plaintiff,*)

15) **JOINT STIPULATION AND ~~PROPOSED~~**

16) **ORDER TO SET BRIEFING SCHEDULE**

17) **AND CONTINUE THE CASE**

18) **MANAGEMENT CONFERENCE UNTIL**

19) **JULY 16, 2009**

20) **[Civil L.R. 6-2 and 7-12]**

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25) Shopzilla, Inc.; Yahoo! Inc.; and

26) Microsoft Corporation,

27) *Counterclaim-Plaintiffs,*)

28)

29) vs.)

30)

31) PartsRiver, Inc.,)

32) *Counterclaim-Defendant.*)

33)

34)

25 **JOINT STIPULATION**

26 Defendants intend to file a motion for summary judgment to be heard on July 16, 2009.

27 Pursuant to Civil L.R. 6-2 and 7-12, the parties hereby stipulate to continuing the Initial Case

28 Management Conference from June 16, 2009 until July 16, 2009 to coincide with the summary

1 judgment hearing, and the parties hereby stipulate to the following briefing schedule for the
2 summary judgment motion:

<u>Description</u>	<u>Date</u>
Last day for Defendants to file motion for summary judgment	Thursday May 28, 2009
Last day for Plaintiff to file brief in opposition to summary judgment	Thursday June 18, 2009
Last day for Defendants to file reply brief in support of summary judgment	Thursday July 2, 2009
Initial Case Management Conference and Hearing on Motion for Summary Judgment	2:00 p.m., Thursday July 16, 2009

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10 The requested enlargement of the summary judgment briefing schedule accommodates the
11 schedules of counsel for both parties and equitably distributes the additional time for briefing.
12 Consolidation of the Initial Case Management Conference and summary judgment hearing is also
13 more efficient for both the Court and the parties. The parties do not propose continuing the meet and
14 confer or disclosure deadlines under Fed. R. Civ. P. 26(f), Civil L.R. 16-9, and ADR L.R. 3-5.

15 The only previous time modification in this case was the change in the date for the Case
16 Management Conference (and corresponding deadlines under Fed. R. Civ. P. 26(f), Civil L.R. 16-9,
17 and ADR L.R. 3-5) as set forth in the Court's Case Management Scheduling Order for Reassigned
18 Civil Case (Mar. 23, 2009) [Docket No. 167].

19 The requested changes to the case schedule will otherwise have no effect on the anticipated
20 schedule for this case.

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IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: May 22, 2009

By: /s/ Jack Baldwin

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Dated: May 22, 2009

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Dated: May 22, 2009

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SIGNATURE ATTESTATION

Pursuant to General Order No. 45(X)(B), I hereby certify that concurrence in the filing of this document has been obtained from each of the other signatories shown above.

/s/ Marc R. Ascolese

1 ~~PROPOSED~~ ORDER SETTING BRIEFING SCHEDULE AND
2 CONTINUING THE CASE MANAGEMENT CONFERENCE UNTIL JULY 16, 2009

3 PURSUANT TO STIPULATION, IT IS SO ORDERED:

4 1. The Initial Case Management Conference is continued until 2:00 p.m. on Thursday,
5 July 16, 2009.

6 2. The summary judgment briefing schedule set forth in the parties' JOINT
7 STIPULATION AND [PROPOSED] ORDER TO SET BRIEFING SCHEDULE AND CONTINUE
8 THE CASE MANAGEMENT CONFERENCE UNTIL JULY 16, 2009 is hereby adopted.

9 Dated: May 29, 2009
10 _____

