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**BACKWEB TECHNOLOGIES, LTD.**

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

BACKWEB TECHNOLOGIES, LTD.,  
  
Plaintiff,  
  
v.  
  
MICROSOFT CORPORATION;  
IANYWHERE SOLUTIONS, INC.; and  
SYBASE, INC.  
  
Defendants.

Case No. CV 09-1224 CW

**STIPULATED MOTION TO RESET  
INITIAL CASE MANAGEMENT  
CONFERENCE AND ORDER AS  
MODIFIED**

Pursuant to stipulation by and between the parties hereto, plaintiff BackWeb Technologies, Ltd. (“BackWeb”) and defendants Microsoft Corporation (“Microsoft”); iAnywhere Solutions, Inc. (“iAnywhere”); and Sybase, Inc. (“Sybase”), through their respective attorneys of record, hereby request that the Initial Case Management Conference now scheduled for August 4, 2009 be rescheduled to September 8, 2009, subject to the Court’s

1 schedule and availability.

2 Plaintiff has filed a stipulated motion to file a second amended complaint, adding as  
3 defendant Symantec Corporation (“Symantec”). That motion has not yet been ruled upon. As  
4 a result, the proposed new defendant will likely not have been served with the new complaint  
5 until after the current date for the Case Management Conference, August 4. The proposed  
6 defendant will also not yet have litigation counsel for this matter.

7  
8 Accordingly, should the Court grant leave to amend the complaint, the rescheduled  
9 date will provide the newly-added defendants time to prepare for and fully participate in the  
10 Case Management Conference. In the event the Court denies the motion to amend, the case  
11 can move forward with only a brief delay of one month. Thus, the parties request that the date  
12 for the Case Management Conference should be rescheduled for September 8, 2009, or as  
13 soon thereafter as is convenient for the Court.

14 Dated: July 9, 2009

Respectfully submitted,

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17 /s/ George F. Bishop  
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24 *Attorneys for Plaintiff*  
25 **BACKWEB TECHNOLOGIES, LTD.**

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Attorneys for Defendants  
Sybase, Inc. and iAnywhere Solutions, Inc.

**CERTIFICATION PURSUANT TO GENERAL ORDER 45**

Pursuant to General Order 45X.B, I, George F. Bishop, attest that the above signatories for the Defendants have concurred and consented to the filing of this document.

DATED: July 9, 2009

/s/George F. Bishop  
George F. Bishop

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1 **PURSUANT TO STIPULATION IT IS ORDERED THAT**

2 The Case Management Conference is rescheduled to **September 15, 2009, at**  
3 **2:00 p.m.**



4 **7/21/09**

5 Dated: \_\_\_\_\_

6 \_\_\_\_\_  
7 Honorable Claudia Wilken  
8 U.S. DISTRICT COURT JUDGE  
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