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Counsel for Plaintiff OptimumPath, L.L.C.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 OAKLAND DIVISION

16 OPTIMUMPATH, L.L.C.,
 17 Plaintiff,

18 vs.

19 BELKIN INTERNATIONAL, INC.,
 20 BUFFALO TECHNOLOGY (USA), INC.,
 CISCO-LINKSYS L.L.C., COMPEX INC.,
 21 D-LINK SYSTEMS, INC., NETGEAR, INC.
 and SMC NETWORKS, INC.,
 22

23 Defendants.

CASE NO. 4:09-CV-1398-CW

**JOINT STIPULATION AND
 [PROPOSED] ORDER REGARDING
 DEADLINE TO FILE MOTION TO
 COMPEL**

24 Plaintiff, OptimumPath, L.L.C. and Defendants Belkin International, Inc., Cisco-Linksys
 25 L.L.C., D-Link Systems, Inc., and NETGEAR, Inc. ("Defendants") jointly stipulate, through their
 26 counsel of record and subject to court approval, as follows:

- 27
 28 1. The fact discovery cut-off in this case was September 3, 2010.

1 2. The parties are currently engaged in meet-and-confer regarding discovery issues,
2 and are attempting to resolve their differences regarding these issues.

3 3. The parties agree that as to any discovery issues raised on or before Friday,
4 September 10, 2010, a motion to compel may be filed on or before Friday, September 17, 2010—
5 an extension of seven days beyond the motion-to-compel deadline set by Local Rule 26-2. The
6 parties are stipulating to this extension to allow more time to meet and confer on these issues.

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8 Respectfully submitted,

9 DATED: September 10, 2010

GOLDSTEIN, FAUCETT & PREBEG, LLP

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By /s/
Corby R. Vowell
Counsel for Plaintiff OptimumPath, L.L.C.

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DATED: September 10, 2010

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

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By /s/
Todd M. Briggs

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Attorneys for Defendants
Belkin International, Inc., Cisco-Linksys LLC,
D-Link Systems, Inc. and NETGEAR Inc.

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1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

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4 OPTIMUMPATH, L.L.C.,

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6 vs.

7 BELKIN INTERNATIONAL, INC.,
8 BUFFALO TECHNOLOGY (USA), INC.,
9 CISCO-LINKSYS L.L.C., COMPEX INC.,
10 D-LINK SYSTEMS, INC., NETGEAR, INC.
11 and SMC NETWORKS, INC.,

12 Defendants.

CASE NO. 4:09-CV-1398-CW

JURY TRIAL DEMANDED

13 **[PROPOSED] ORDER GRANTING JOINT STIPULATION REGARDING DEADLINE**
14 **TO FILE MOTION TO COMPEL**

15 CAME FOR CONSIDERATION the Joint Stipulation Regarding Deadline to File
16 Motion To Compel. After consideration, the Court orders the Stipulation to be GRANTED.

17 The deadline to file a motion to compel regarding (1) OptimumPath's recently submitted
18 privilege log; (2) redactions in the November 6, 2005, letter between Rusty Washburn and
19 Andrew Tompkins; and (3) OptimumPath's responses to Defendants' Requests for Production is
20 set to September 17, 2010.

21 IT IS SO ORDERED.

22 DATED: September 14 , 2010

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26 Hon. Claudia Wilken
27 United State District Judge
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