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5 Attorneys for Defendants/Third Party Plaintiffs J.C. RESEARCH, INC., d/b/a FOGWARE  
 6 PUBLISHING, a California Corporation and INNOVATIVE KNOWLEDGE, INC., a California  
 Corporation

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 10 **OAKLAND DIVISION**

11 ZANE PUBLISHING, INC.,  
 12 A Texas Corporation,

Case No.: CV-09-04115 SBA

13 Plaintiff,

14 v.

15 J.C. RESEARCH, INC., d/b/a FOGWARE  
 PUBLISHING, a California Corporation and  
 16 INNOVATIVE KNOWLEDGE, INC., a  
 California Corporation,

**JOINT STUPILATED REQUEST FOR  
 ORDER CHANGING TIME FOR  
 PLAINTIFF TO RESPOND TO  
 CROSS\_CLAIMS AND (ORDER)**

17 Defendants.

18 J.C. RESEARCH, INC., d/b/a FOGWARE  
 PUBLISHING, a California Corporation and  
 19 INNOVATIVE KNOWLEDGE, INC., a  
 20 California Corporation,

21 Third Party Plaintiffs,

22 v.

23 DISCOVERY COMMUNICATIONS, LLC,  
 A Delaware limited liability company,

24 Third Party Defendant.

25 \_\_\_\_\_  
 26 WHEREAS, Zane Publishing, Inc. ("Plaintiff") filed a complaint in the above-captioned matter  
 27 against J.C. Research, Inc. d/b/a/ Fogware Publishing and Innovative Knowledge, Inc. (collectively  
 28 "Defendants/Third Party Plaintiffs") on September 4, 2009;

1 WHEREAS, on September 4, 2009, the Court entered its Order Setting Initial Case Management  
2 Conference and ADR deadlines and set the Conference in this case for December 10, 2009;

3 WHEREAS, on September 10, 2009, the Court Clerk issued a notice changing the time for the  
4 Conference and notifying the parties that the Conference would take place by telephone;

5 WHEREAS, on October 2, 2009, Plaintiff and Defendants/Third Party Plaintiffs stipulated that  
6 the time for Defendants/Third Party Plaintiffs to respond to Plaintiff's complaint was thereby extended  
7 thirty (30) days to and including November 2, 2009;

8 WHEREAS, Defendants/Third Party Plaintiffs filed their answer and a third party complaint  
9 against Discovery Communications, LLC and Roes 1-10 ("Third Party Defendant") on November 2,  
10 2009;

11 WHEREAS, on November 16, 2009, Plaintiff and Third Party Plaintiffs filed a joint stipulation  
12 to continue the Initial Case Management Conference and ADR deadline to a time ordered by the Court;

13 WHEREAS, pursuant to an order entered by this Court on December 9, 2009, the Case  
14 Management Conference initially scheduled for December 10, 2009, was continued to February 3, 2010,  
15 at 3:15 p.m.;

16 WHEREAS, pursuant to a stipulation filed in this Court on December 22, 2009, Plaintiff,  
17 Defendants/Third Party Plaintiffs and Third Party Defendant agreed that the time for Third Party  
18 Defendant to answer or otherwise respond to the third party complaint was extended to and including  
19 February 10, 2010;

20 WHEREAS, pursuant to an order entered by this Court on December 28, 2009, the Case  
21 Management Conference initially scheduled for December 10, 2009 and rescheduled to February 3,  
22 2010, at 3:15 p.m. was continued to March 3, 2010, at 2:45 p.m.;

23 WHEREAS, pursuant to a stipulation filed in this Court on February 3, 2010, Plaintiff,  
24 Defendants/Third Party Plaintiffs and Third Party Defendant agreed that the time for Third Party  
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1 Defendant to answer or otherwise respond to the third party complaint was extended to and including  
2 March 12, 2010;

3 WHEREAS, pursuant to an order entered by this Court on February 16, 2010, the Case  
4 Management Conference initially scheduled for December 10, 2009, and rescheduled to February 3,  
5 2010, at 3:15 p.m. and then March 3, 2010, at 2:45 p.m. was rescheduled for April 14, 2010;  
6

7 WHEREAS, pursuant to a stipulation filed in this Court on March 9, 2010, Plaintiff,  
8 Defendants/Third Party Plaintiffs and Third Party Defendant agreed that the time for Third Party  
9 Defendant to answer or otherwise respond to the third party complaint was extended to and including  
10 March 26, 2010;

11 WHEREAS, pursuant to an order entered by this Court on March 17, 2010, the Case  
12 Management Conference initially scheduled for December 10, 2009, and rescheduled to February 3,  
13 2010, at 3:15 p.m. and then March 3, 2010, at 2:45 p.m. and then April 14, 2010 was rescheduled for  
14 April 29, 2010 at 3:30 p.m.;

15 WHEREAS, pursuant to a stipulation filed in this Court on March 22, 2010, Plaintiff,  
16 Defendants/Third Party Plaintiffs and Third Party Defendant agreed that the time for Third Party  
17 Defendant to answer or otherwise respond to the third party complaint was extended to and including  
18 April 9, 2010;

19 WHEREAS, pursuant to an order entered by this Court on March 31, 2010, the Case  
20 Management Conference initially scheduled for December 10, 2009, and rescheduled to February 3,  
21 2010, at 3:15 p.m. and then March 3, 2010, at 2:45 p.m. and then April 14, 2010 and then April 29, 2010  
22 at 3:30 p.m. was rescheduled for June 9, 2010 at 2:45 p.m.;

23 WHEREAS, pursuant to a stipulation filed in this Court on April 6, 2010, Plaintiff,  
24 Defendants/Third Party Plaintiffs and Third Party Defendant agreed that the time for Third Party  
25 Defendant to answer or otherwise respond to the third party complaint was extended to and including  
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1 April 23, 2010;

2 WHEREAS pursuant to a stipulation filed in this Court on April 22, 2010, Plaintiff,  
3 Defendants/Third Party Plaintiffs and Third Party Defendant agreed that the time for Third Party  
4 Defendant to answer or otherwise respond to the third party complaint was extended to an including  
5 June 7, 2010;

6  
7 WHEREAS, pursuant to an order entered by this Court on April 27, 2010, the Case Management  
8 Conference initially scheduled for December 10, 2009, and rescheduled to February 3, 2010, at 3:15  
9 p.m. and then March 3, 2010, at 2:45 p.m. and then April 14, 2010 and then April 29, 2010 at 3:30 p.m.  
10 and then June 9, 2010 at 2:45p.m. was rescheduled for July 22, 2010 at 2:45 p.m.;

11 WHEREAS, Third Party Defendant, Discovery Communications, LLC, filed Third Party  
12 Defendants' Answer, Counterclaims Against Third Party Plaintiffs, and Claims Against Plaintiff on June  
13 7, 2010;

14  
15 WHEREAS pursuant to a stipulation filed in this Court on June, 28 2010, Plaintiff,  
16 Defendants/Third Party Plaintiffs and Third Party Defendant agreed that the time for Third Party  
17 Defendant to answer or otherwise respond to the third party complaint was extended to an including  
18 August 12, 2010;

19 WHEREAS, Plaintiff and Third Party Defendant are currently and actively discussing  
20 settlement, have exchanged a draft settlement agreement, and an extension of time would allow the  
21 parties to continue such settlement discussions and would not further alter the schedule of this case;

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23 The parties, through their respective counsel and pursuant to Civil L.R. 6-2, HEREBY MAKE  
24 THIS STIPULATED REQUEST THAT  
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2 1. The time for Plaintiff ( Zane Publishing, Inc. ) to respond to Third Party Defendant's  
3 Cross Claims Against Plaintiff be extended twenty-one (21) days to and including September 2, 2010.  
4

5 Respectfully submitted this 12th day of August, 2010.  
6

7 Dated: August 12, 2010

DAVIS WRIGHT TREMAINE, LLP  
By: /s/ Laura Handman (with consent)

8 Laura Handman  
9 Davis Wright Tremaine LLP  
10 1919 Pennsylvania Ave NW #800  
11 Washington, DC 20006

12 Attorneys for Third Party Defendant Discovery  
13 Communications, LLC  
14

15 Dated: August 12, 2010

BROOKS KUSHMAN P.C.  
By: /s/ Mark Brian Mizrahi

16 Mark Brian Mizrahi  
17 Brooks Kushman P.C.  
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19 Suite 610  
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21 310-348-8200  
22 Fax: 310-846-4799

23 Attorneys for Plaintiff Zane Research, Inc.  
24

25 IT IS SO ORDERED.  
26

27 Dated: 8/20/10

Saundra B. Armstrong  
28 Hon. Saundra B. Armstrong