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

11 ZANE PUBLISHING, INC.,
 A Texas Corporation,

Case No.: CV-09-04115 SBA

12 Plaintiff,

13 v.

14 J.C. RESEARCH, INC., d/b/a FOGWARE
 15 PUBLISHING, a California Corporation and
 INNOVATIVE KNOWLEDGE, INC., a
 16 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
 19 PUBLISHING, a California Corporation and
 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
26 April 23, 2010;
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1 WHEREAS pursuant to a stipulation filed in this Court on April 22, 2010, Plaintiff,
2 Defendants/Third Party Plaintiffs and Third Party Defendant agreed that the time for Third Party
3 Defendant to answer or otherwise respond to the third party complaint was extended to an including
4 June 7, 2010;

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

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

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

16 WHEREAS pursuant to a stipulation filed in this Court on August 12, 2010, Plaintiff and Third
17 Party Defendant agreed that the time for Third Party Defendant to answer or otherwise respond to the
18 third party complaint was extended to an including September 2, 2010;

19 WHEREAS, pursuant to an order entered by this Court on June 30, 2010, the Case Management
20 Conference initially scheduled for December 10, 2009, and rescheduled to February 3, 2010, at 3:15
21 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.
22 and then June 9, 2010 at 2:45p.m. and then July 22, 2010 at 2:45 p.m, was rescheduled for October 7 at
23 3:15 p.m..

1 WHEREAS, Plaintiff and Third Party Defendant are currently and actively discussing
2 settlement, have exchanged a draft settlement agreements, and an extension of time would allow the
3 parties to continue such settlement discussions;

4 WHEREAS the parties agree that this will be the final extension granted with respect to the
5 pleadings in this case;

6 The parties, through their respective counsel and pursuant to Civil L.R. 6-2, HEREBY MAKE THIS STIPULATED
7 REQUEST THAT

8 1. The time for Plaintiff (Zane Publishing, Inc.) to respond to Third Party Defendant's Cross Claims Against
9 Plaintiff be extended to and including October 14, 2010.

10 2. The Case Management Conference scheduled for October 7, at 3:15 p.m. be continued to any date
11 convenient for this Court.

12 3. There will be no more extensions to answer pleadings in the case.

13 Respectfully submitted this 17th day of September, 2010.

14 Dated: September 17, 2010

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

17 Laura Handman
18 Davis Wright Tremaine LLP
19 1919 Pennsylvania Ave NW #800
20 Washington, DC 20006

21 Attorneys for Third Party Defendant Discovery
22 Communications, LLC

23 Dated: September 17, 2010

24 VICTORIA L.H. BOOKE
25 By: /s/ Victoria L.H. Booke (with consent)

26 Victoria L.H. Booke
27 Fahmy & Booke
28 606 North First St.
San Jose, CA 95112
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Fax: 408-286-7111

Attorneys for Defendants/Third Party Plaintiffs
J.C. Research, Inc. d/b/a/ Fogware Publishing
and Innovative Knowledge, Inc.

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

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Dated: September 17, 2010

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Attorneys for Plaintiff Zane Research, Inc.

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ORDER

PURSUANT TO THE PARTIES' STIPULATION, IT IS HEREBY ORDERED THAT:

1. The time for Plaintiff (Zane Publishing, Inc.) to respond to Third Party Defendant's Counterclaims Against Plaintiff be extended to and including October 14, 2010; and
2. The Case Management Conference scheduled for October 7, 2010 at 3:15 p.m. shall be CONTINUED to November 4, 2010 at 3:15 p.m. The parties shall meet and confer prior to the conference and shall prepare a joint Case Management Conference Statement which shall be filed no later than ten (10) days prior to the Case Management Conference that complies with the Standing Order of this Court.
3. **There shall be no more extensions to respond to pleadings in this case.**

Dated: _9/22/10


SAUNDRA BROWN ARMSTRONG
United States District Judge