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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

15 SEAGATE TECHNOLOGY LLC, a
Delaware corporation,
16 SEAGATE TECHNOLOGY
INTERNATIONAL, a Cayman Islands
17 Company; SEAGATE SINGAPORE
INTERNATIONAL HEADQUARTERS PTE
18 LTD, a Singapore corporation,

19 Plaintiffs,

20 vs.

21 NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA, a
22 Pennsylvania corporation; INSURANCE
COMPANY OF THE STATE OF
23 PENNSYLVANIA, a Pennsylvania
corporation,

24 Defendants.
25

Case No. 4:09-cv-04120-CW

**STIPULATION AND ORDER
CONTINUING HEARING ON
DEFENDANTS' MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Judge: Hon. Claudia Wilken
Courtroom: 2

Complaint Filed: September 4, 2009

26 Pursuant to Civil Local Rules 6-2 and 7-7(b), the parties, through their undersigned
27 counsel, submit the following stipulation and request an order continuing the hearing on
28 Defendants' pending Motion for Partial Summary Judgment (the "Motion"):

STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING HEARING ON DEFENDANTS' MOTION
FOR PARTIAL SUMMARY JUDGMENT
CASE NO. CV-09-4120-CW

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1 WHEREAS, the parties have filed their briefing in support of, and in opposition to, the
2 Motion, which is currently set for hearing on January 13, 2011 at 2:00 p.m.;

3 WHEREAS, on December 20, 2010, the Court issued an Order Striking Plaintiffs'
4 Objections to Defendants' Evidence in Support of Motion for Partial Summary Judgment, and
5 Motion to Strike or Alternatively Seal Confidential Exhibits (the "Order"), granting leave to the
6 parties to amend and refile their briefing to incorporate any evidentiary objections or responses to
7 such objections;

8 WHEREAS, the Order requires Plaintiffs to file their amended briefing on December 23,
9 2010 and Defendants to file their amended briefing on December 30, 2010, but allows the parties
10 to stipulate to an alternative schedule;

11 WHEREAS, the parties wish to continue the hearing date of January 13, 2011 to allow
12 further time to prepare and file the amended briefing;

13 THEREFORE, IT IS HEREBY STIPULATED THAT:

14 1. The hearing on the Motion shall be continued from January 13, 2011 to February
15 10, 2011 at 2:00 p.m.

16 2. The amended briefing on the Motion shall be filed in accordance with the Order
17 and Civil Local Rule 7-3 (i.e., Plaintiffs shall file their amended briefing on January 20, 2011 and
18 Defendants shall file their amended briefing on January 27, 2011).

19 3. No other deadlines currently set in this case shall be affected by this Stipulation
20 and [Proposed] Order absent further agreement and application to the Court.

21
22 Dated: December 21, 2010

FARELLA BRAUN + MARTEL LLP

23 I represent that concurrence in the filing of this
24 document has been obtained from the other
25 signatory, which shall serve in lieu of his
26 signature on this document.

By: /s/ Tyler C. Gerking
Tyler C. Gerking

26 Attorneys for Plaintiffs
27 SEAGATE TECHNOLOGY LLC, SEAGATE
28 TECHNOLOGY INTERNATIONAL,
SEAGATE SINGAPORE INTERNATIONAL
HEADQUARTERS PTE LTD

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Dated: December 21, 2010

LEWIS BRISBOIS BISGAARD & SMITH,
LLP

By: /s/ Stephen Kovarik
Stephen Kovarik

Attorneys for Defendants
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA and
INSURANCE COMPANY OF THE STATE
OF PENNSYLVANIA

PURSUANT TO STIPULATION, IT IS SO ORDERED. **However, this will leave little time between ruling on the motion and the time for pretrial filings, so trial date may have to be continued.**

Dated: 12/23/2010


JUDGE CLAUDIA WILKEN
United States District Judge