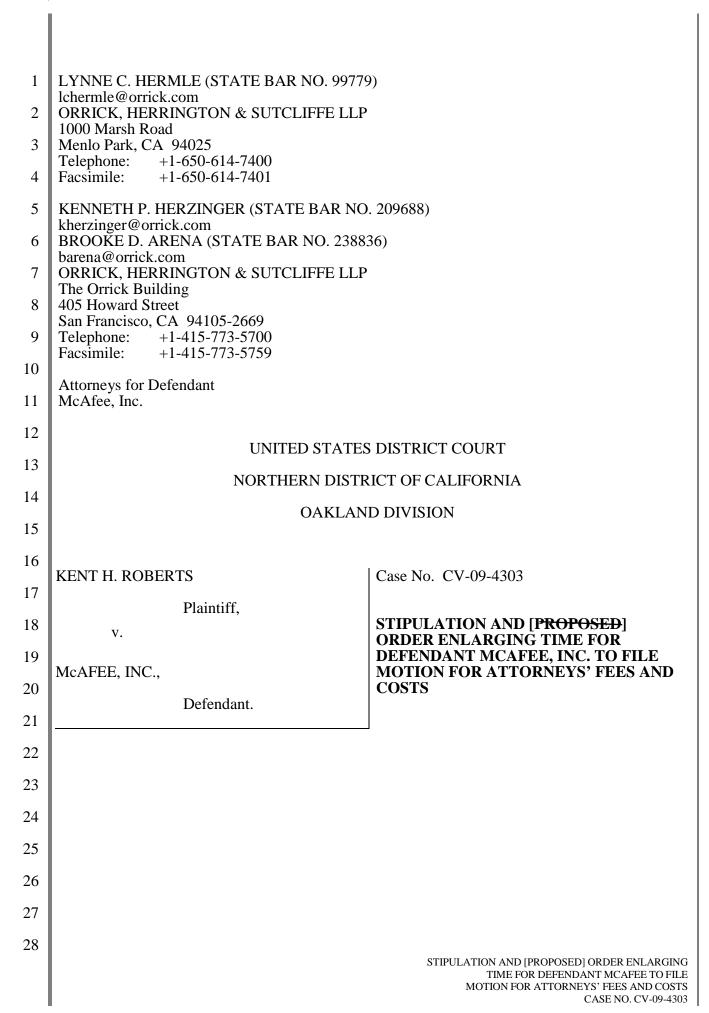
Roberts v. McAfee, Inc. Doc. 69



1 IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff Kent Roberts 2 ("Roberts") and defendant McAfee, Inc. ("McAfee"), through their undersigned counsel of 3 record, pursuant to Civil L.R. 6-2 as follows: 4 On March 8, 2010, the Court entered an order granting in part McAfee's motion to strike 5 Roberts's complaint pursuant to California Code of Civil Procedure Section 425.16 ("Anti-6 SLAPP Motion"). McAfee has submitted a pleading stating that it intends to file a motion for 7 attorneys' fees and costs in connection with its Anti-SLAPP Motion. Pursuant to Federal Rule of 8 Civil Procedure 54, McAfee's deadline to file its motion for fees is March 22, 2010, 14 days 9 following the Court's order granting in part the Anti-SLAPP Motion. 10 The parties seek to enlarge by two weeks the time in which McAfee must file its motion 11 for fees. This two-week extension will permit McAfee to file its motion for fees on or before 12 April 5, 2010. As set forth in the accompanying Declaration of Kenneth P. Herzinger in Support 13 of this Stipulation and [Proposed] Order, Roberts requested this two-week extension in order to 14 have adequate time to assess McAfee's claim of entitlement to attorneys' fees in connection with 15 the Anti-SLAPP Motion and to give the parties additional time to meet and confer regarding 16 McAfee's motion for fees. 17 Extending the foregoing deadline will have no additional impact on the schedule for the 18 case as no other deadlines need rescheduling at this time. Accordingly, the parties stipulate to 19 extend the deadline as set forth above, and respectfully request that the Court so order. 20 // 21 // 22 // 23 // 24 // 25 // 26 // 27 //

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1	IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.			
2				
3	Dated:	March	19, 2010	ORRICK, HERRINGTON & SUTCLIFFE LLP
4				/s/ Kenneth P. Herzinger
5				LYNNE C. HERMLE KENNETH P. HERZINGER
6				BROOKE D. ARENA Attorneys for Defendant
7				McAfee, Inc.
8				
9				
10				
11	Dated:	March	19, 2010	GILLESPIE, ROZEN & WATSKY P.C.
12				/s/ Hal S. Gillespie HAL K. GILLESPIE
13				JAMES D. SANFORD TIFFANY C. ALVOID
14				Attorneys for Plaintiff
15				Kent Roberts
16				<u>ORDER</u>
17	FOR (GOOD	CAUSE SHOWN AN	ND PURSUANT TO STIPULATION, IT IS SO
18	ORDI	ERED.		
19				TATES DISTRICT
20	Dated:	:	March <u>23</u> , 2010	
21				THE JONORADI THE J
22				
23				Judge Phyllis J. Hamilton
24				
25				DISTRICT OF CE
26				DISTRICT
27				
28				OFFICIAL ATTION AND ORDERS CORRES

STIPULATION AND [PROPOSED] ORDER ENLARGING TIME FOR DEFENDANT MCAFEE TO FILE MOTION FOR ATTORNEYS' FEES AND COSTS CASE NO. CV-09-4303