

1 KOKER & VAN NEST LLP
 ELLIOT R. PETERS - #158708
 2 epeters@kvn.com
 STEVEN K. TAYLOR - #204668
 3 staylor@kvn.com
 OZAN O. VAROL - #252571
 4 ovarol@kvn.com
 710 Sansome Street
 5 San Francisco, CA 94111-1704
 Telephone: (415) 391-5400
 6 Facsimile: (415) 397-7188

7 Attorneys for Defendants
 MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
 8 AND POPEO, P.C., and IVOR R. ELRIFI

9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

<p>TETHYS BIOSCIENCE, INC.,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C., IVOR R. ELRIFI, and DOES 1 through 100,</p> <p style="text-align: right;">Defendants.</p>
--

Case No. CV-09-05115 CW

**STIPULATION AND AMENDED ORDER
 TO CONTINUE CASE MANAGEMENT
 CONFERENCE**

Dept: Courtroom 2, 4th Floor
 Judge: Hon. Claudia Wilken

Date Comp. Filed: August 28, 2009
 Trial Date: None Set

(Removed from Alameda County Superior
 Court, Case No. RG09471347)

Trial Date: None assigned

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STIPULATION

WHEREAS, by stipulated order dated June 10, 2010, the Court scheduled an Initial Case Management Conference in this matter for July 13, 2010, at 2:00 p.m.;

WHEREAS, lead trial counsel for Defendants Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., and Ivor Elrifi, has previously scheduled and nonrefundable plans to be out of the Country beginning on July 13, 2010 and therefore cannot attend the scheduled July 13, 2010 Initial Case Management Conference;

WHEREAS, the parties have met and conferred regarding their Rule 26(f) disclosure obligations and have agreed to make Rule 26(f) disclosures on August 16, 2010;

WHEREAS, the parties have filed ADR Certifications and are scheduled to participate in an ADR Phone Conference on July 8, 2010;

WHEREAS, the parties agree to continue the case management conference to July 27, 2010, at 2:00 p.m., with a Joint Case Management Conference Statement to be filed one week prior on July 20, 2010;

WHEREAS, the parties agree that good cause therefore exists to continue the case management conference to a later date;

It is HEREBY STIPULATED by Plaintiff and Defendants, by and through their undersigned counsel, that the Initial Case Management Conference, currently scheduled for July 27, 2010, at 2:00 p.m., be continued to July 27, 2010, at 2:00 p.m. It is FURTHER STIPULATED that the parties will file a Joint Case Management Conference Statement on July 20, 2010.

///

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

As required by L.R. 6-2(a), this stipulated request is accompanied by the Declaration of Steven K. Taylor.

IT IS SO STIPULATED.

Dated: July 1, 2010

KEKER & VAN NEST LLP

By: /s/ Steven K. Taylor
STEVEN K. TAYLOR
Attorneys for Defendants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C., and IVOR
R. ELRIFI

Dated: July 1, 2010

LAW OFFICES OF ALLEN RUBY

By: /s/ Allen Ruby
ALLEN RUBY
Attorney for Plaintiff
TETHYS BIOSCIENCE, INC.

Filer's Attestation

I, Steven K. Taylor, the filer of this document, hereby attest that concurrence in the filing of this document has been obtained from each signatory hereto.

By: /s/ Steven K. Taylor
STEVEN K. TAYLOR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

AMENDED ORDER

PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING THEREFOR,
THE COURT ORDERS AS FOLLOWS:

(1) The Initial Case Management Conference in this matter, currently scheduled for July 13, 2010, at 2:00 p.m., shall be continued to July 27, 2010, at 2:00 p.m, in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland, CA 94612;

(2) The parties shall submit a Joint Case Management Conference Statement by July 20, 2010;

(3) No other deadline will be affected.

IT IS SO ORDERED.

Dated: 7/9/2010



THE HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE