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10 *Attorneys for Plaintiffs*
 11 *VeriFone Israel Ltd. and*
 12 *VeriFone Holdings, Inc.*

13
 14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **OAKLAND**

17 VERIFONE HOLDINGS, INC., a Delaware)
 18 corporation,)
 19)
 Plaintiff,)
 20)
 v.)
 21)
 HEARTLAND PAYMENT SYSTEMS,)
 22 INC., a Delaware corporation,)
 23)
 Defendant.)
 24)
 25)
 26)
 27)
 28)

CASE NO. C09-05296 PJH

**STIPULATION AND [PROPOSED]
 ORDER RESCHEDULING PENDING
 DEADLINES UNTIL COMPLETION
 OF SETTLEMENT DISCUSSIONS**

1 WHEREAS, VeriFone Holdings, Inc. (“Plaintiff”) and Heartland Payments
2 Systems, Inc. (“Defendant”) are currently engaged in settlement discussions and believe that it
3 is reasonable to extend all current deadlines for a period of forty-five (45) days to avoid
4 expending time and resources of both the Court and the parties that may become unnecessary
5 if those discussions are successful;

6 WHEREAS, pursuant to Civil L.R. 6-1, the parties stipulated to extend the time
7 for Defendant to answer or otherwise respond to Plaintiff’s Complaint until December 28,
8 2009;

9 WHEREAS, the Court in its November 6, 2009 Order set a deadline of
10 January 21, 2010 for the parties to (1) meet and confer regarding initial disclosures, early
11 settlement, ADR process selection, and the discovery plan, (2) file ADR certification, and (3)
12 file either a Stipulation to ADR Process or a Notice of Need for ADR Phone Conference;

13 WHEREAS, the Court in its November 6, 2009 Order set a deadline of
14 February 4, 2010 for the parties to (1) file a Rule 26(f) Report, (2) complete initial disclosures,
15 and (3) file a Case Management Statement;

16 WHEREAS, the Court in its November 6, 2009 Order scheduled the Initial
17 Case Management Conference for February 11, 2010;

18 NOW THEREFORE, the parties, by and through their respective counsel,
19 hereby stipulate that:

20 1. All current deadlines in this case are hereby extended for a period of
21 forty-five (45) days.

22 2. Without limiting the generality of the foregoing, the following specific
23 deadlines are extended as follows:

24 a. The time for Defendants to answer or otherwise respond to Plaintiff’s
25 Complaint shall be extended from December 28, 2009 to February 16, 2010.

26 b. The previous deadline of January 21, 2010 for the parties to (1) meet
27 and confer regarding initial disclosures, early settlement, ADR process selection, and the
28

1 discovery plan, (2) file ADR certification, and (3) file either a Stipulation to ADR Process or a
2 Notice of Need for ADR Phone Conference shall be extended to March 8, 2010.

3 c. The previous deadline of February 4, 2010 for the parties to (1) file a
4 Rule 26(f) Report, (2) complete initial disclosures, and (3) file a Case Management Statement
5 shall be extended to March ²⁵~~22~~, 2010.

6 d. The Initial Case Management Conference with the Court currently
7 scheduled for February 11, 2010 shall be rescheduled, ~~subject to the Court's availability~~, to a
8 ~~mutually agreeable time during the week of March 29, 2010 or as soon thereafter as the Court~~
9 ~~may be available.~~ April 1

10 IT IS SO STIPULATED.

11 Dated: December 24, 2009

12
13 /s/ Gregory S. Bishop

/s/ Michael H. Steinberg

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ORDER

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THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED.

Dated: 1/13/10

