1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	Arthur S. Beeman (State Bar No. 237996) asbeeman@jonesday.com Brett A. Lovejoy (State Bar No. 212942) blovejoy@jonesday.com JONES DAY 555 California Street, 26th Floor San Francisco, CA 94104 Telephone: (415) 626-3939 Facsimile: (415) 875-5700  Attorneys for Plaintiff ALEXX, INC.  Gina A. Bibby (State Bar No. 242657) gbibby@foley.com FOLEY & LARDNER LLP 975 Page Mill Road Palo Alto, CA 94304-1013 Telephone: (650) 856-3700 Facsimile: (650) 856-3710  Steven J. Rizzi (Pro Hac Vice) srizzi@foley.com FOLEY & LARDNER LLP 90 Park Avenue New York, NY 10016-1314 Telephone: (212) 682-7474 Facsimile: (212) 687-2329		
16	Attorneys for Defendant TRIPLE C DESIGNS, INC.		
17	UNITED STATES	DISTRICT COURT	
18	NORTHERN DISTRICT OF CALIFORNIA		
19	OAKLAND DIVISION		
20	ALEXX, INC., a California corporation,	) CASE No: CV 10-3946 CW	
21	Plaintiff,	) STIPULATION AND ORDER TO	
22	v.	) CHANGE TIME PURSUANT TO CIVIL ) LOCAL RULE 6-2	
23 24	TRIPLE C DESIGNS, INC. and DOES 1-20, Inclusive	) ) [DECLARATION OF STEVEN J. RIZZI ) FILED CONCURRENTLY HEREWITH]	
25	Defendants.	) ) Judge: Hon. Claudia Wilken	
26		)	
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		IANGE TIME PURSUANT TO CIVIL L.R. 6-2	
2093.1	CASE NO. CV 10-3946 CW		

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Alexx, Inc. v. Triple C Designs, Inc.

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IT IS HEREBY STIPULATED by and between Plaintiff Alexx, Inc. ("Alexx") and Defendant Triple C Designs, Inc. ("Triple C"), by and through their counsel of record as follows: WHEREAS, the initial Case Management Conference is currently set for February 22, 2011:

WHEREAS, on February 7, 2011, the parties attended a Settlement Conference before Magistrate Judge Ryu, but were unable to reach a settlement (D.I. 25);

WHEREAS, the parties agreed to continue settlement discussions and contact Magistrate Judge Ryu's chambers within one week from February 7, 2011 to schedule a date for a further Settlement Conference (D.I. 25);

WHEREAS, following the February 7, 2011 Settlement Conference, the parties acted expeditiously to determine a mutually agreeable time to propose to the Court for continuing the February 22, 2011 Case Management Conference to pursue further settlement discussions, and have agreed on April 5, 2011, but the parties are not able satisfy the requirements of Civil Local Rule 6-1(b), which requires that "[a]ny stipulated request or motion which affects a hearing or proceeding on the Court's calendar must be filed no later than 14 days before the scheduled event":

WHEREAS, the parties respectfully request the Court continue the Case Management Conference currently scheduled for February 22, 2011 by six weeks to April 5, 2011 so that the parties can pursue further settlement discussions;

WHEREAS, there have been no other previous time modifications in the case, whether by stipulation or Court order, except, pursuant to stipulation filed October 8, 2010 (D.I. 4), the deadline for Triple C to answer Alexx's Complaint was extended to November 11, 2010, and pursuant to stipulation filed November 22, 2010 (D.I. 15), the initial Case Management Conference was postponed to February 22, 2011; and

NOW, THEREFORE, pursuant to Civil Local Rule 6-2, the undersigned parties hereby stipulate and respectfully request the Court order as follows:

1. The Tuesday, February 22, 2011 Case Management Conference shall be continued to Tuesday, April 5, 2011 at 2:00 p.m. in Courtroom 2, 4th Floor, 1301 Clay Street,

1	Oakland, CA 94612, or such other date as the Court may order.		
2	PURSUANT TO STIPULATION, IT IS SO ORDERED.		
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4	Dated: February 15, 2011.	Chairle de la	
5		Horbrack Claudia Wilken United States District Judge	
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7			
8	Submitted by:		
9			
10	Dated: February 9, 2011	FOLEY & LARDNER LLP	
11		By: /s/ Steven J. Rizzi Steven J. Rizzi	
12		Gina A. Bibby	
13		Attorneys for Defendant Triple C Designs, Inc.	
14	Dated: February 9, 2011	JONES DAY	
15		By: <u>/s/ Brett A. Lovejoy</u>	
16		By: /s/ Brett A. Lovejoy Brett A. Lovejoy Attorneys for Plaintiff	
17		Alexx Inc.	
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