



1 IT IS HEREBY STIPULATED by and between Plaintiff Alexx, Inc. (“Alexx”) and  
2 Defendant Triple C Designs, Inc. (“Triple C”), by and through their counsel of record as follows:

3 WHEREAS, the initial Case Management Conference is currently set for February 22,  
4 2011;

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

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

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

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

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


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

27 1. The Tuesday, February 22, 2011 Case Management Conference shall be  
28 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.

3  
4 Dated: February 15, 2011.

  
Honorable Claudia Wilken  
United States District Judge

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8 Submitted by:

9  
10 Dated: February 9, 2011

FOLEY & LARDNER LLP

11 By: /s/ Steven J. Rizzi  
12 Steven J. Rizzi  
13 Gina A. Bibby  
Attorneys for Defendant  
Triple C Designs, Inc.

14 Dated: February 9, 2011

JONES DAY

15 By: /s/ Brett A. Lovejoy  
16 Brett A. Lovejoy  
17 Attorneys for Plaintiff  
Alexx Inc.

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**CERTIFICATION OF CONCURRENCE**

I hereby attest that concurrence in the filing of this document has been obtained from  
counsel for plaintiff, Brett A. Lovejoy.

Dated: February 9, 2011

FOLEY & LARDNER LLP

By: /s/ Gina A. Bibby  
Steven J. Rizzi  
Gina A. Bibby  
Attorneys for Defendant  
Triple C Designs, Inc.