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 FIVE STAR FORMULATORS, INC.

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 OAKLAND DIVISION

17 BIO-KOR METICS, LTD., an Israeli company,
 18 *Plaintiff,*
 19 v.
 20 FIVE STAR FORMULATORS, INC., a
 California corporation, and BELLA
 21 SCHNEIDER,
 22 *Defendants.*

23 FIVE STAR FORMULATORS, INC.,
 24 *Counter-claimant,*
 25 v.
 26 BIO-KOR METICS, LTD. an Israeli company,
 27 *Counter-defendant.*
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Case No. CV10-4717-PJH

**STIPULATION AND PROPOSED ORDER
 EXTENDING DEADLINE FOR ADR
 FILINGS AND INITIAL DISCLOSURES**

1 Per Northern District Local Rule 16-2(d) and (e), defendant and counter-claimant Five
2 Star Formulators, Inc. (“Five Star”) and plaintiff and counter-defendant Bio-Kor Metics, Ltd.
3 (“Bio-Kor”), submit this Stipulation and Proposed Order to extend the deadline by three business
4 days for the parties to file the ADR-related documents and to extend the deadline by two weeks
5 for the parties to complete their Initial Disclosures.

6 **RECITALS**

7 WHEREAS, pursuant to the Order Setting Initial Case Management Conference and
8 ADR Deadlines issued on October 19, 2010, the last day for to the parties to participate in a Rule
9 26(f) conference and file ADR-related documents was originally set for January 6, 2011, the last
10 day to file a Rule 26(f) Report, complete initial disclosures and file Case Management Statement
11 is January 20, 2011 and the date for the Initial Case Management Conference is January 27,
12 2011;

13 WHEREAS, the parties stipulated to (Dkt. No. 44), and the Court entered an Order
14 confirming (Dkt. No. 46), an extension of the last day to participate in a Rule 26(f) conference
15 and file ADR-related documents through and including January 13, 2011;

16 WHEREAS, the parties participated in a Rule 26(f) conference on January 13, 2010;

17 WHEREAS, Bio-Kor’s seeks an additional three business days to confer with its client
18 regarding ADR and secure the required ADR certification;

19 WHEREAS, Five Star has agreed to the requested three business day extension, whereby
20 the last day for the parties to file the ADR-related document would be extended January 13,
21 2011 to January 18, 2011;

22 WHEREAS, the law firm of Sedgwick, Detert, Moran & Arnold, LLP has recently
23 substituted in as counsel for Five Star and new counsel is in the process of becoming familiar
24 with the relevant factual and legal issues to ensure a more comprehensive Rule 26(a) Initial
25 Disclosures;

26 WHEREAS, Five Star seeks an additional two weeks for all parties to prepare and serve
27 initial disclosures pursuant to Federal Rule of Civil Procedure 26(a);

28 WHEREAS, Bio-Kor has agreed to the requested two-week extension, whereby the last

1 day for the parties to complete Initial Disclosures would be extended from January 20, 2011 to
2 February 3, 2011;

3 WHEREAS, (a) the stipulated three business day extension for the deadline to file the
4 ADR-related documents and (b) the two week extension to complete Initial Disclosures will not
5 impact the January 20, 2011 deadline to file a Rule 26(f) Report and file Case Management
6 Statement, nor will it impact the January 27, 2011 date for the Initial Case Management
7 Conference.

8 **STIPULATION**

9 Based on the foregoing Recitals, Five Star and Bio-Kor, by and through their respective
10 attorneys, agree and stipulate as follows:

11 (1) The current deadline to file the ADR-related documents is extended from January 13,
12 2011 to January 18, 2011;

13 (2) The current January 20, 2011 deadline to complete Initial Disclosures is extended
14 from January 20, 2011 to February 3, 2011; and

15 (3) The current January 20, 2011 deadline to file a Rule 26(f) Report and Case
16 Management Statement, as well as the January 27, 2011 date for the Initial Case Management
17 Conference, shall remain unchanged.

18 IT IS SO STIPULATED.
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1 DATED: January 13, 2011

SEDGWICK, DETERT, MORAN & ARNOLD LLP

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By: /s/Matthew Fischer

Matthew Fischer

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Attorneys for Defendant and Counterclaimant FIVE STAR
FORMULATOR, INC.

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6 DATED: January 13, 2011

FISH & RICHARDSON P.C.

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By: /s/Noah C. Graubart

Noah C. Graubart

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Attorneys for plaintiff and counter-defendant BIO-KOR
METICS, LTD.

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ATTESTATION OF FILING

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Pursuant to General Order 45.X.B, I attest that I have obtained concurrence in the filing

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of this document from the parties listed above.

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/s/Noah C. Graubart

Noah C. Graubart

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ORDER

PURSUANT TO THE FOREGOING STIPULATION, IT IS ORDERED THAT:

(1) The current deadline to file the ADR-related documents is extended from January 13, 2011 to January 18, 2011;

(2) The current January 20, 2011 deadline to complete Initial Disclosures is extended from January 20, 2011 to February 3, 2011; and

(3) The current January 20, 2011 deadline to file a Rule 26(f) Report and Case Management Statement, as well as the January 27, 2011 date for the Initial Case Management Conference, shall remain unchanged.

DATED: January 18, 2011

