

1 FLYNN / WILLIAMS LLP  
 2 Sloan C. Bailey (No. 188113)  
 3 Gary Sloboda (No. 209581)  
 4 Annabel H. Chang (No. 267261)  
 5 1010 B Street, Suite 200  
 6 San Rafael, CA 94901  
 7 Fax (415) 482-9939  
 8 (415) 461-1000

9 Attorneys for Defendant  
 10 F.W. SPENCER & SON, INC.

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

13 ADVANCED MICROTHERM, INC.; HVAC )  
 14 SALES, INC., )  
 15 Plaintiffs, )  
 16 vs. )  
 17 NORMAN WRIGHT MECHANICAL )  
 18 EQUIPMENT CORPORATION; et al., )  
 19 Defendants. )

Case No.: C04-02266 JW  
**STIPULATION AND ~~[PROPOSED]~~**  
**ORDER EXTENDING DEADLINE FOR**  
**PLAINTIFFS’ AND FW SPENCER &**  
**SON, INC.’S MEET AND CONFER RE**  
**ELECTRONIC DISCOVERY**  
 Magistrate Judge: Hon. Patricia Trumbull  
 Courtroom: 5, 4<sup>th</sup> Floor  
 Original Complaint Filed: April 30, 2002

20 AND RELATED CROSS-ACTION.  
 21

22 WHEREAS, the Court’s March 26, 2010 Interim Order (Docket #1387) ordered plaintiffs  
 23 and defendant F.W. Spencer & Son, Inc.’s (Spencer) to meet and confer at Spencer’ facilities  
 24 concerning certain electronic discovery by no later than April 12, 2010;

25 WHEREAS, on April 9, 2010, the Court issued a further Interim Order (Docket #1408)  
 26 resolving the parties’ dispute over the scope of, attendance at, and duration of the meet and  
 27 confer, but did not extend the April 12, 2010 deadline; and  
 28

1 WHEREAS, the earliest mutually available date to conduct the meet and confer at  
2 Spencer's facilities is April 15, 2010 at 1:00 p.m., although the representative for the Maxwell  
3 accounting system will only be available by telephone that day from 1:30 p.m. to 3:00 p.m.

4 THEREFORE, plaintiffs and Spencer, by and through their counsel, stipulate and request  
5 the Court to order that the meet and confer pursuant to the Court's March 26 and April 9 Interim  
6 Orders will take place on April 15, 2010 at 1:00 p.m.

7  
8 DATED: April 13, 2010 FOREMAN & BRASSO

9  
10 By: /s/  
Russell Brasso  
11 Attorneys for ADVANCED MICROTHERM, INC. AND  
HVAC SALES, INC.

12  
13  
14 DATED: April 13, 2010 FLYNN/WILLIAMS LLP

15  
16 By: /s/  
Gary Sloboda  
17 Attorneys for F.W. SPENCER & SON, INC.

18  
19 For GOOD CAUSE appearing, and based on the Parties' Stipulation herein, IT IS  
20 ORDERED that plaintiffs and Spencer's meet and confer pursuant to the Court's March 26 and  
21 April 9 Interim Orders shall take place on April 15, 2010 at 1:00 p.m.

22  
23 DATED: 4/14, 2010

24  
25   
26 PATRICIA V. TRUMBULL  
United States Magistrate Judge