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E-FILED 4/7/10

9 UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

13 EAGLE EMBLEMS, INC., J & S
14 SURPLUS,

15 Plaintiffs,

16 v.

17 DELL, DELL U.S.A., DELL COMPUTER
CORP., DELL MARKETING CORP.,
18 UNISYS CORP. and DOES 1 TO 20,

19 Defendants.

CASE NO. C04 03175 RMW ARB

STIPULATION AND [XXXXXXX] ORDER
REGARDING CONTINUANCE OF CASE
MANAGEMENT CONFERENCE

Complaint Filed: June 25, 2004
Trial Date: None set

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WHEREAS, plaintiffs are proceeding with their claims against defendants in arbitration;

WHEREAS, the parties are proceeding with discovery, have taken three depositions since the last continuance and have made some progress on settlement discussions.

WHEREAS, none of the parties wish to raise any issues with the Court at the Case Management Conference currently scheduled for April 9, 2010;

The parties, subject to the approval of the Court, hereby stipulate that the Case Management Conference is continued until October 22, 2010, at 10:30 a.m.

IT IS SO STIPULATED.

Dated: April 5, 2010

DONAHUE GALLAGHER WOODS LLP

By: *John C. Kirke*
John C. Kirke
Attorneys for Defendants
UNISYS CORP., DELL, DELL U.S.A., DELL
COMPUTER CORP. and DELL MARKETING
L.P.

Dated: April 5, 2010

BECK & MATHIESEN

By: *David R. Beck*
David R. Beck
Attorneys for Plaintiffs
EAGLE EMBLEMS, INC., J & S SURPLUS

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 4/7/10

Ronald M. Whyte
Ronald M. Whyte
United States District Court Judge