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15 Attorneys for Plaintiffs
 16 NETSCAPE COMMUNICATIONS
 17 CORPORATION and AMERICA ONLINE, INC.

18 **UNITED STATES DISTRICT COURT**
 19 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

20 NETSCAPE COMMUNICATIONS
 21 CORPORATION, et al.,
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 23 Plaintiffs,
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 25 v.
 26
 27 FEDERAL INSURANCE COMPANY, et al.,
 28
 29 Defendants.

CASE NO. 5:06-CV-00198 JW (PVT)

**STIPULATION RE: HEARING DATE
 FOR PARTIES' CROSS MOTIONS FOR
 PARTIAL SUMMARY JUDGMENT RE:
 DUTY TO DEFEND; [PROPOSED]
 ORDER**

Judge: Hon. James Ware
 Dept.: Courtroom 8

Complaint filed December 12, 2005

1 Plaintiffs America Online, Inc. and Netscape Communications Corporation (collectively,
2 "Plaintiffs") and Defendant St. Paul Mercury Insurance Company ("Defendant"), by and through
3 their respective undersigned counsel, are hereby agreed and stipulate as follows:

4 WHEREAS, the parties' Cross Motions for Partial Summary Judgment Re: Duty to
5 Defend were previously set for hearing on March 26, 2007 (the "Hearing");

6 WHEREAS, on March 20, 2007, the Court entered an order continuing the Hearing to
7 April 9, 2007;

8 WHEREAS, counsel for all parties are unavailable on April 9, 2007; and

9 WHEREAS, counsel for all parties have met and conferred and determined that they are
10 all available for the Hearing on April 30, 2007 at 9:00 a.m., and respectfully request that the
11 Court continue the Hearing to that date and time.

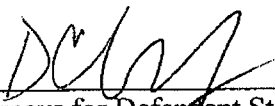
12 Dated: March 22, 2007

ABELSON | HERRON, LLP
Michael Bruce Abelson
Leslie A. Pereira

14
15 By 
16 Attorneys for Plaintiffs
17 Netscape Communications Corporation and
America Online, Inc.

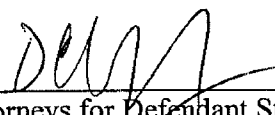
18 Dated: March 22 2007

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22 Attorneys for Defendant St. Paul Mercury
Insurance Company

23 Dated: March 22 2007

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27 Attorneys for Defendant St. Paul Mercury
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ORDER

This Court having considered the parties' stipulation as set forth above, and good cause appearing, the Court orders as follows:

1. The hearing on the parties' Cross Motions for Partial Summary Judgment Re: Duty to Defend is continued from April 9, 2007 at 9:00 a.m. to April 30, 2007 at 9:00 a.m.

IT IS SO ORDERED.

Dated: _____

JAMES WARE
United States District Judge