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

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

NETSCAPE COMMUNICATIONS
CORPORATION, et al.,

Plaintiffs,

v.

FEDERAL INSURANCE COMPANY, et al.,

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; *James Ware*
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.

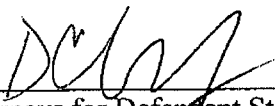
12 Dated: March 22, 2007

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

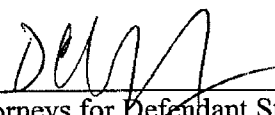
18 Dated: March 22 2007

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22 Attorneys for Defendant St. Paul Mercury
Insurance Company

23 Dated: March 22 2007

24 for: MEAGHER & GEER LLP
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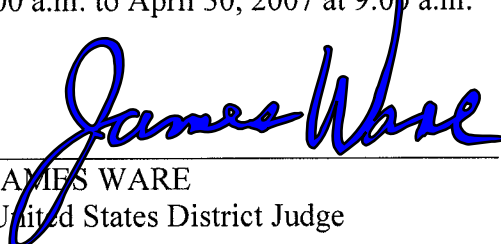
ORDER

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: 3/23/2007



JAMES WARE
United States District Judge