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7 Attorneys for Defendant
 ST. PAUL MERCURY INSURANCE COMPANY

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT COURT OF CALIFORNIA
 10 SAN JOSE DIVISION

11 NETSCAPE COMMUNICATIONS)
 CORPORATION, a Delaware corporation;)
 12 and AMERICAN ONLINE, INC., a Delaware)
 corporation,)
 13)
 Plaintiffs,)
 14 vs.)
 15 FEDERAL INSURANCE COMPANY, an)
 Indiana corporation; et al.,)
 16)
 Defendants.)
 17)

CASE NO. 5:06-CV-00198 JW (PVT)
 STIPULATION AND [PROPOSED]
 ORDER
 Complaint Filed: 12/12/05
 Amended Complaint: 2/24/06

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 19 COMES NOW the parties, by and through their respective counsel, and stipulate
 20 as follows:

- 21 1. The parties have filed cross-motions for partial for summary judgment on
 22 the duty to defend and agreed to file a total of four briefs as follows: (a) St. Paul's
 23 opening brief; (b) Plaintiffs' combined opening/opposition brief; (c) St. Paul's combined
 24 opposition/reply brief; and (d) Plaintiffs' reply brief.
 25 2. St. Paul filed an opening brief (24 pages) and Plaintiffs filed a combined
 26 opening/opposition (30 pages).
 27 3. The Northern District of California Local Rules provide that opposition
 28 briefs shall be no more than 25 pages and reply briefs no more than 15 pages.

1 L.R. 7-3(a), (c); L.R. 7-4(b).

2 4. Given the number of issues in the cross-motions for partial summary
3 judgment, the parties hereby agree that the page limits for the two remaining briefs may
4 be as follows:

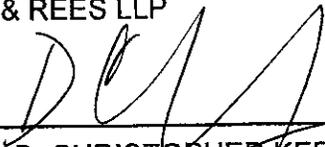
5 a. St. Paul is permitted to file a combined opposition/reply brief of up to 25
6 pages; and

7 b. Plaintiffs are permitted to file a reply brief of up to 20 pages.

8 IT IS SO STIPULATED.

9 Dated: January 26, 2007

GORDON & REES LLP

10
11 By: 

D. CHRISTOPHER KERBY
Attorneys for Defendant ST. PAUL
MERCURY INSURANCE COMPANY

12
13 Dated: January 26, 2007

ABELSON HERRON LP

14
15 By: 

LESLIE A. PEREIRA
Attorneys for Plaintiffs NETSCAPE
COMMUNICATIONS CORPORATION,
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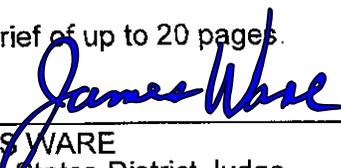
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19 ORDER

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

22
23 1. St. Paul is permitted to file a combined opposition/reply brief of up to 25
24 pages; and

25 2. Plaintiffs are permitted to file a reply brief of up to 20 pages.

26 Dated: 1/29/2007


JAMES WARE
United States District Judge