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 Plaintiff GLASFORMS, INC., a California
 12 corporation

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN JOSE DIVISION

16 DONG AH TIRE & RUBBER CO., LTD.,
 a Korean Corporation,

17 Plaintiff,

18 v.

19 GLASFORMS, INC., a California
 20 corporation,

21 Plaintiff/Defendant/
 22 Third-Party Plaintiff.

23 v.

24 CTG INTERNATIONAL (NORTH
 AMERICA) INC., an Indiana Corporation;
 25 TAISHAN FIBERGLASS, INC., a
 corporation organized under the laws of the
 26 People's Republic of China,
 Defendants/Third-Party Defendants.

CASE NO. C 06-03359 JF
 (Consolidated With Case No. C 06-00213 JF)

**STIPULATION TO SCHEDULE
 FURTHER BRIEFING ON GLASFORMS'
 MOTION TO COMPEL AND MOTION
 FOR SANCTIONS; ~~PROPOSED~~ ORDER
 THEREON**

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STIPULATION TO SCHEDULE FURTHER BRIEFING ON GLASFORMS' MOTION TO COMPEL AND
 MOTION FOR SANCTIONS // CASE NO. C 06-03359 JF

1 This revised stipulation is entered into between Plaintiff/Defendant/Third-Party Plaintiff
2 Glasforms, Inc. ("Glasforms"), Third-Party Defendant CTG International (North America) Inc.
3 ("CTG"), and Third-Party Defendant Taishan Fiberglass, Inc. ("Taishan"), by and through their
4 respective counsel of record.

5 **RECITALS**

6 Glasforms' Motion for Sanctions

7 WHEREAS, a hearing on Glasforms' Motion for Sanctions Due to Taishan's Spoliation of
8 Evidence ("Motion for Sanctions") was held on August 13, 2008;

9 WHEREAS, the Court on September 19, 2008 issued an Interim Order regarding the
10 Motion for Sanctions which required Glasforms and Taishan to file supplemental briefs by
11 November 3, 2008;

12 Glasforms' Motion to Compel

13 WHEREAS, a hearing on Glasforms' Motion to Compel further Responses by Taishan to
14 Requests for Production of Documents and Things, Sets Four and Five ("Motion to Compel")
15 was held on October 22, 2008;

16 WHEREAS, the Court ordered Glasforms and Taishan to meet and confer and file a five
17 page supplemental brief, jointly or separately, explaining what remains at issue in the Motion to
18 Compel by November 5, 2008;

19 Toll of Litigation Activity

20 WHEREAS, Glasforms, CTG, and Taishan (collectively the "Parties") executed a
21 stipulation to mediate the above-captioned matter before the Honorable Walter P. Capaccioli
22 (Ret.) on December 12, 2008;

23 WHEREAS, the Court on November 5, 2008 issued an order based upon said stipulation
24 which tolled all litigation activity and deadlines pending the mediation;

25 WHEREAS, the Parties agreed to reschedule the mediation to January 9, 2009;

26 WHEREAS, to conserve the resources of the Parties and the Court, the parties stipulated
27 to continue to toll all litigation activity and deadlines pending the rescheduled mediation;
28

1 WHEREAS, the Court on December 5, 2008 issued an order based upon said stipulation
2 which tolled all litigation activity and deadlines pending the rescheduled mediation;

3 WHEREAS, the Parties did not reach a settlement at the mediation;

4 NOW THEREFORE, IT IS HEREBY AGREED AND STIPULATED, by and between
5 Glasforms, CTG, and Taishan, through their respective counsel of record, and subject to Court
6 approval, that:

7 (A) All meet and confer efforts regarding Glasforms' Motion to Compel shall be
8 completed by February 13, 2009;

9 (B) supplemental brief(s) regarding Glasforms' Motion to Compel shall be filed by
10 each party, jointly or separately, by February 20, 2009; and

11 (C) supplemental briefs regarding Glasforms' Motion for Sanctions shall be filed by
12 each party by February 27, 2009.

13 IT IS SO STIPULATED:

14 Dated: February 9, 2008

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16
17 By: /s/ Noelle R. Dunn
Robert A. Christopher
Eugene Ashley
Noelle R. Dunn
Attorneys for Plaintiff/Defendant/Third-
18 Party Plaintiff GLASFORMS, INC.
19

20 Dated: February 9, 2008

CAMPBELL, Warburton,
21 FITZSIMMONS, SMITH, MENDELL &
PASTORE
22

23 By: /s/ J. Michael Fitzsimmons
J. Michael Fitzsimmons
24 Lisa Jeong Cummins
Attorneys for Third Party Defendant
25 CTG INTERNATIONAL (NORTH
26 AMERICA) INC.
27
28

1 Dated: February 9, 2008

BAKER & DANIELS LLP

3 By: /s/ Kevin M. Toner

4 David K. Herzog

Kevin M. Toner

April Sellers

Jennifer M. Phelps

Attorneys for Third-Party Defendants

6 TAISHAN FIBERGLASS, INC. and CTG

7 INTERNATIONAL (NORTH

AMERICA) INC.

9 IT IS ORDERED that:

10 (A) All meet and confer efforts regarding Glasforms' Motion to Compel shall be
11 completed by February 13, 2009;

12 (B) supplemental brief(s) regarding Glasforms' Motion to Compel shall be filed,
13 jointly or separately, by February 20, 2009; and

14 (c) supplemental briefs regarding Glasforms' Motion for Sanctions shall be filed by
15 each party by February 27, 2009.

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17
18 Dated: February 10, 2009


HONORABLE RICHARD SELBORG
Magistrate Judge, United States District Court

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PURSUANT TO GENERAL ORDER NO. 45,

I, Noelle R. Dunn, the ECF User transmitting and filing this Revised Stipulation to
Schedule Further Briefing On Glasforms' Motion To Compel And Motion For Sanctions and
[Proposed] Order Thereon, attest that I have obtained the concurrence of Kevin Toner and
J. Michael Fitzsimmons on this filing.

I declare the foregoing under the penalty of perjury.

Dated: February 9, 2008

HOPKINS & CARLEY
A Law Corporation

By: /s/ Noelle R. Dunn
Noelle R. Dunn
Attorneys for Plaintiff/
Defendant/Third-Party Plaintiff,
GLASFORMS, INC.