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5 *Attorneys for Plaintiff*  
 6 *TRENT WEST*

7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10

11 **TRENT WEST,**  
 12  
 13 **Plaintiff,**  
 14  
 15 **v.**  
 16 **JEWELRY INNOVATIONS, INC.,**  
 17 **TOSYALI INTERNATIONAL, INC.**  
 18 **(dba BENCHMARK), NORTHSTAR**  
 19 **DIAMOND, INC. (dba TUNGSTEN**  
 20 **MAGNUM), A JAMAIS DESIGNS,**  
 21 **INC. (dba INFINITY RINGS), and**  
 22 **CROWN RING, INC.,**  
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 24 **Defendants.**  
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Case No.5:07-cv-1812 JF (HRL)

**STIPULATION TO MODIFY  
 SCHEDULING ORDER**

Defendants Jewelry Innovations, Inc. (“JII”) and Tosyali International, Ltd. dba Benchmark (“Benchmark”), by and through their undersigned counsel of record, and Plaintiff Trent West (“West”), by and through his undersigned counsel of record, have agreed and stipulate under Civil L.R. 6-2(a) to modify the Scheduling Order to extend the time for the parties to comply with the presently pending deadlines in this matter as set forth below:

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Event	Present Date	Modified Date
Expert Disclosure/Reports by party with the burden of proof on an issue	October 28, 2008	November 25, 2008
Fact Discovery Cut-Off (serve discovery requests and notice fact witness depositions to be completed by this date)	November 11, 2008	December 5, 2008
Rebuttal Expert Disclosure/Reports by party without the burden of proof on an issue	No date presently	December 24, 2008
Expert Discovery Cut-Off (complete depositions of expert witnesses by this date)	No date presently	January 9, 2009
Last Day to File Dispositive Motions	November 18, 2008	January 16, 2009
Last Day to File Daubert Motions objecting to experts	No date presently	January 23, 2009
Last Day to Hear Dispositive Motions	December 26, 2008	February 20, 2009
Trial	March 16, 2009	March 16, 2009

West's counsel is filing this stipulation with the Court after having received the consent and agreement of counsel for JII and Benchmark to its form and content. Counsel for Crown Ring has elected not to join in the stipulation between West and JII and Benchmark, but has not asserted Crown Ring will be prejudiced or otherwise adversely impacted by the requested modifications. The reasons that JII, Benchmark and West respectfully request the present modifications are provided in the Declaration of Alvin B. Lindsay, filed herewith.

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1           Accordingly, JII, Benchmark and West request that the Court issue an Order, for good  
2 cause shown, modifying the Scheduling Order as requested above.

3  
4 JONES WALDO HOLBROOK &  
5 MCDONOUGH

KING & KELLEHER

6 By: /s/Brett D. Ekins  
7 Brett D. Ekins

By: /s/Alvin B. Lindsay  
Alvin B. Lindsay

8 Attorneys for Defendants Jewelry Innovations,  
9 Inc. and Tosyali International, Inc. (dba  
Benchmark)

Attorneys for Plaintiff Trent West

10 Date: September 30, 2008

Date: September 30, 2008

11  
12  
13 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

14 DATED: October 2<sup>nd</sup>, 2008

15   
16 Hon. Jeremy Fogel  
Judge, U.S. District Court – N.D. Cal.