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9 Attorneys for Plaintiff
 10 COUPONS, INC.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

14 COUPONS, INC.,
 15 Plaintiff,
 16 vs.
 17 JOHN STOTTLEMIRE, and DOES 1-10,
 18 Defendants.

19 Case No. 5:07-cv-03457 HRL
 20 **NOTICE OF MOTION AND MOTION TO
 21 CONTINUE HEARING AND CASE
 22 MANAGEMENT DATES**
 23 Judge: Honorable Howard R. Lloyd
 24 Courtroom: 2

25 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:**

26 **PLEASE TAKE NOTICE THAT** Plaintiff Coupons, Inc. hereby moves pursuant to
 27 Local Rule 6-3 for a continuance of the hearing date on Defendant's pending motions, and for a
 28 continuance of the Case Management Conference and related dates.

29 **I. STATEMENT OF FACTS**

30 On October 19, 2007, Plaintiff Coupons, Inc. substituted in the law firm of Farella Braun
 31 + Martel LLP as attorneys of record in this action in place of Wilson, Sonsini, Goodrich &

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1 Rosati.¹ Coupons asked Defendant John Stottlemire to stipulate to brief extensions of time to file
2 oppositions to Defendant's Motion to Dismiss or for Summary Judgment and his Motion for
3 Sanctions ("the pending motions"), and to respond to upcoming case management deadlines.
4 Coupons asked for the extensions to allow new counsel to gather and review the files in this
5 matter. On Thursday, October 18, Defendant and Coupons agreed to short extensions of time for
6 the briefing and hearing of the pending motions, and for upcoming case management deadlines.
7 Defendant stated that he would sign a stipulation after Coupons formally substituted in new
8 counsel.

9
10 On Friday, October 19, 2007, Coupons filed its Substitution of Attorneys and served a
11 copy on Defendant. Coupons also provided a draft stipulation to Defendant. Defendant asked
12 that the stipulation be modified to address certain local rule requirements, which Coupons did on
13 Monday morning, October 22. Defendant then told Coupons that he would not agree to the
14 stipulation because Coupons had not obtained a court order allowing the Wilson Sonsini firm to
15 withdraw and insisted that such a court order was necessary under Local Rule 11-5. As a result,
16 Defendant would not sign the proposed stipulation.

17 Coupons therefore requests that the Court grant the proposed extensions that had been
18 agreed to by Defendant, but for the dispute over the propriety of the Substitution of Attorneys.
19 These extensions are:

- 20 1. The hearing on the pending motions shall be continued from November 13, 2007
21 to December 4, 2007;
- 22 2. The deadline for filing oppositions to the pending motions shall be November 6,
23 2007;
- 24 3. The deadline for filing replies to the pending motions shall be November 20, 2007;
- 25 4. The parties shall meet and confer and file a case management conference
26 statement on or before November 13, 2007;

27
28 ¹ The facts are set forth in the accompanying Declaration of Dennis M. Cusack in Support of Motion to Continue
Hearing and Case Management Dates.

