Coupons, Inc. Doc. 86

1 2 3 4 5 6 7	Neil A. Goteiner (State Bar No. 083524) Dennis M. Cusack (State Bar No. 124988) Carly O. Alameda (State Bar No. 244424) Farella Braun & Martel LLP 235 Montgomery Street, 17th Floor San Francisco, CA 94104 Telephone: (415) 954-4400 Facsimile: (415) 954-4480 E-mail: ngoteiner@fbm.com, dcusack@fbm.calameda@fbm.com Attorneys for Plaintiff COUPONS, INC.	*e-filed7/18/08* .com,	
8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	SAN JOSE DIVISION		
11			
12	COUPONS, INC.,	Case No. 5:07-CV-03457 HRL	
13	Plaintiff,	STIPULATION AND [PROPOSED] ORDER TO VACATE PRE-TRIAL AND	
14	VS.	TRIAL DATES AND SET FURTHER CASE MANAGEMENT CONFERENCE	
15	JOHN STOTTLEMIRE, and DOES 1-10,	WINTIGENERY CONTERENCE	
16	Defendants.		
17	Plaintiff Coupons, Inc. and Defendant John Stottlemire hereby submit this stipulation to		
18	vacate the pre-trial and trial dates set forth in the Case Management Conference Scheduling Order		
19	filed February 6, 2008, and request a further Case Management Conference to reset those dates.		
20	WHEREAS, the parties previously submitted a Case Management Statement, and		
21	participated in a Case Management Conference on February 5, 2008, setting forth pre-trial and		
22	trial dates;		
23	WHEREAS, on February 6, 2008 this Court issued a Case Management Conference		
24	Scheduling Order setting forth various pre-trial and trial dates;		
25	WHEREAS, Defendant subsequently filed a motion to dismiss Plaintiff's Second		
26	Amended Complaint on February 26, 2008;		
27	WHEREAS, this Court entered an Order on Defendant's motion to dismiss on July 2,		
28 Farella Braun & Martel LLP			
235 Montgomery Street, 17th Floor San Francisco, CA 94104 (415) 954-4400	STIP AND [PROPOSED] ORDER TO VACATE PRETRIAL AND TRIAL DATES 5:07-CV-03457 HRL	22675\1637773.1	

1	2008, denying Defendant's motion in part, and granting it in part, and granting Plaintiff leave to		
2	amend its complaint by July 22, 2008;		
3	WHEREAS, the Fact Discovery Cutoff date is set at August 19, 2008, and the parties have		
4	not yet engaged in any discovery;		
5	WHEREAS, the parties plan to engage in discovery, but have continued to postpone		
6	engaging in discovery until it is clear which claims will proceed in the case;		
7	WHEREAS, the parties would like to vacate the current dates and set new dates in light of		
8	the circumstances of the motion to dismiss and current leave to amend, and the approaching		
9	discovery cutoff dates;		
10	IT IS HEREBY STIPULATED by and between the parties hereto that the pre-trial and		
11	trial dates set forth in the Case Management Conference Scheduling Order will be vacated, and a		
12	further Case Management Conference will be set during which the parties will propose a new		
13	schedule of dates.		
14	Dated: July 17, 2008 FARELLA BRAUN & MARTEL LLP		
15	D /a/		
16	By: /s/ Dennis M. Cusack		
17	Attorneys for Plaintiff		
18	COUPÓNS, INC.		
19	Dated: July 17, 2008		
20	Pv: /o/		
21	By: /s/ John Stottlemire Defendant, pro se		
22	Defendant, pro se		
23	<u>ORDER</u>		
24	Good cause appearing therefor, IT IS HEREBY ORDERED that the pre-trial and trial		
25	dates set forth in the Case Management Conference Scheduling Order are hereby vacated, and a		
26	further Case Management Conference is set for9/23/08		
27	DATED: 7/18/08		
28	The Honorable Howard R. Lloyd		

STIP AND [PROPOSED] ORDER TO VACATE PRETRIAL AND TRIAL DATES 5:07-CV-03457 HRL