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6 Attorneys for Plaintiff  
 BAY SALES, INC.

7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN JOSE DIVISION

12 BAY SALES, INC., a California corporation  
 13 Plaintiff,  
 14 vs.  
 15 TRIPOD TECHNOLOGY CORPORATION, a  
 Taiwanese corporation and DOES 1 to 10,  
 16 Defendants.  
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Case No. C07-03702 JW

**STIPULATION AND [XXXXXXXXXXXXX  
 ORDER RE DISCOVERY DEADLINES**

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1 WHEREAS, following a July 24, 2008 order granting in part Bay Sales' motion to compel  
2 further discovery ("July 24 Order") Tripod produced further documents and supplemental  
3 interrogatory responses on August 15, 2008 and October 18, 2008; and

4 WHEREAS, pursuant to a Stipulation and Order entered by Magistrate Judge Trumbull on  
5 October 22, 2008, Bay Sales's deadline to make a motion with respect to Tripod's August 15,  
6 2008 production and responses is ten days after the Court's ruling on Tripod's Motion for  
7 Summary Judgment or, In the Alternative, Summary Adjudication; and

8 WHEREAS, following the Court's December 17, 2008 decision on Tripod's Motion For  
9 Summary Judgment or, in the Alternative, Summary Adjudication, the parties are still engaged in  
10 the meet and confer process and wish to further extend Bay Sales's time to make a motion.

11 IT IS HEREBY STIPULATED by and between Bay Sales and Tripod, subject to the  
12 approval of the Court, that:

13 1. Bay Sales's deadline to make a motion with respect to Tripod's August 15, 2008  
14 production and responses shall be extended to January 23, 2008. The parties agree to continue the  
15 meet and confer process with respect to the issues which may be the subject of this motion and  
16 Bay Sales agrees that it shall inform Tripod in writing, at least two business days prior to filing a  
17 motion to compel, that the meet and confer process has ended and that it intends to proceed with  
18 the filing of a motion to compel.

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21 DATED: December 23, 2008

\_\_\_\_\_/s/  
John W. Fowler  
Attorneys for Plaintiff  
BAY SALES, INC.

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24 DATED: December 23, 2008

\_\_\_\_\_/s/  
Michael K. Maher  
Attorneys for Defendant  
TRIPOD TECHNOLOGY CORPORATION

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PURSUANT TO STIPULATION, IT IS SO ORDERED:



DATED: December 29, 2008

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Honorable Patricia Trumbull  
United States Magistrate Judge