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Attorneys for Plaintiff
IZUMI OHKUBO

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IZUMI OHKUBO,

Plaintiff,

v.

ANTARA BIOSCIENCES, INC.
MARC R. LABGOLD AND DANA
ICHINOTSUBO,

Defendants.

Case No.: C07 06354 JW

**STIPULATION AND [PROPOSED] ORDER
EXTENDING ALTERNATIVE DISPUTE
RESOLUTION DEADLINE**

Honorable James Ware
Courtroom 8

Complaint Filed: December 14, 2007

1 THE PARTIES, THROUGH THEIR COUNSEL OF RECORD, HEREBY STIPULATE AS
2 FOLLOWS:

- 3 1. The current presumptive deadline for the completion of the ADR in the form of mediation
4 (ADR L. R. 6) has been set for October 31, 2008 pursuant to this Court's April 8, 2008 order.
5 [Dkt. #33]
- 6 2. Both parties have determined that more productive and effective mediation will be
7 possible if the mediation is postponed until after this Court decides defendants' pending motion to
8 dismiss. [Dkt. # 10].
- 9 3. Both parties agree and stipulate to extend the deadline for completing mediation until 120
10 days after this Court issues its ruling in connection with the pending motion to dismiss.

11
12 IT IS SO STIPULATED.

13 DATED: September 30, 2008

NATHAN LANE III
SQUIRE, SANDERS & DEMPSEY L.L.P.

/s/

Nathan Lane III

Attorneys for Plaintiff
IZUMI OHKUBO

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19 DATED: September 30, 2008

MICHAEL J. HARTLEY
ALSTON & BIRD L.L.P.

/s/

Michael J. Hartley

Attorneys for Defendants
ANTARA BIOSCIENCES, INC., MARC R.
LABGOLD and DANA ICHINOTSUBO

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Filer's Attestation: Pursuant to General Order No. 45, § X(B), I attest that concurrence in the filing of this document has been obtained from its signatory.

DATED: September 30, 2008

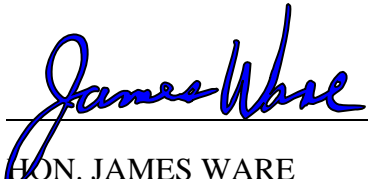
/s/
Nathan Lane III

ORDER

Pursuant to Stipulation, IT IS SO ORDERED.

The Stipulation is found as MOOT. The Court GRANTED the Motion to Dismiss without Prejudice on September 30, 2008.

Dated: September 30 2008



HON. JAMES WARE
United States District Judge