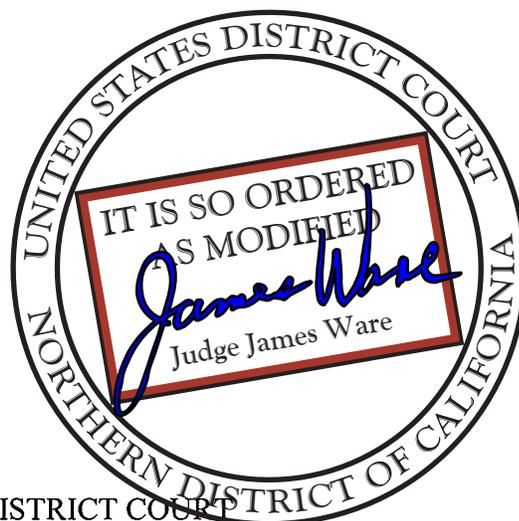


1 Peter M. Hart (State Bar No. 107920)
 2 Joseph A. Whitecavage (State Bar No. 154879)
 3 LeClairRyan LLP
 4 44 Montgomery Street, 18th Floor
 5 San Francisco, California 94104-4705
 6 Telephone: (415) 391-7111
 7 Telefax: (415) 391-8766

8 Attorneys for Defendant
 9 HUSSMANN CORPORATION



10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

13 SHOPPERS CORNER, INC., a California
 14 Corporation,

15 Plaintiff,

16 v.

17 HUSSMANN CORPORATION, a Missouri
 18 Corporation,

19 Defendant.

Case No.: C07 06437 JW

20 STIPULATION AND ~~PROPOSED~~
 21 ORDER GRANTING REQUEST FOR
 22 EXTENSION OF DISCOVERY PERIOD

23 Trial Date: November 4, 2009

24 The parties respectfully request that the Court grant an order extending the time for the
 25 parties to complete their discovery. On December 18, 2008 this Court entered a Modified
 26 Scheduling Order setting the close of all discovery on June 15, 2009. The parties are currently
 27 involved in taking depositions and completing written discovery, and are also involved in parallel
 28 settlement negotiations.

As a result of conflicts of schedule and the certain unavailability of counsel and witnesses, in part due to medical concerns, the parties do not believe they can reasonably complete all discovery by the June 15, 2009 deadline and therefore respectfully request that the

1 Court grant an extension up to and including July 31, 2009 in which the parties may complete
2 discovery.

3 The parties are not asking that the trial date or any other court mandated dates be
4 changed.

5 SO STIPULATED:

6 DATED: June 2, 2009

7 /s/
8 STEVEN F. GRUEL
9 Attorney for Shoppers Corner, Inc.

10 DATED: June 2, 2009

11 /s/
12 PETER M. HART
13 Attorney for Hussmann Corporation
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*** ORDER PURSUANT TO STIPULATION ***

Pursuant to their Stipulation, the parties are granted an extension of time up to and including July 31, 2009 in which to complete all discovery.

All other deadlines shall remain unchanged.

IT IS SO ORDERED.

Dated: June 11, 2009



JAMES WARE
U.S. District Court Judge