

1 JOHN W. CLARK, State Bar No. 036664
 ATTORNEY AT LAW
 2 2600 El Camino Real, Suite 410
 Palo Alto, CA 94306
 3 Telephone: (650) 354-3605
 Facsimile: (650) 354-3606
 4 Email: john@johnclarklaw.com

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5 ARDELL JOHNSON, State Bar No. 095340
 KORDA, JOHNSON & WALL, LLP
 6 66 E. Santa Clara Street, Suite 250
 San Jose, CA 95113
 7 Telephone: (408) 494-0700
 Facsimile: (408) 494-0707
 8 Email: arjoh@pacbell.net

9 *Attorneys for Plaintiff*
 MEHRDAD NIKOONAHAD

11 KEITH E. EGGLETON, State Bar No. 159842
 RODNEY G. STRICKLAND, JR., State Bar No. 161934
 12 ANTHONY J WEIBELL, State Bar No. 238850
 WILSON SONSINI GOODRICH & ROSATI, P.C.
 13 650 Page Mill Road
 Palo Alto, CA 94304-1050
 14 Telephone: (650) 493-9300
 Facsimile: (650) 565-5100
 15 Email: keggleton@wsgr.com; rstrickland@wsgr.com; aweibell@wsgr.com

16 *Attorneys for Defendant*
 RUDOLPH TECHNOLOGIES, INC.

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA
 20 SAN JOSE DIVISION

21 MEHRDAD NIKOONAHAD,)	CASE NO.: C 08-2290 JF
)	
22 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER SETTING BRIEFING
23 v.)	SCHEDULE ON MOTION TO
)	DISMISS
24 RUDOLPH TECHNOLOGIES, INC. and)	
DOES 1-25, inclusive,)	
)	
25 Defendants.)	
)	
26)	

27
 28 STIPULATION AND [PROPOSED] ORDER SETTING
 BRIEFING SCHEDULE
 CASE No. C 08-2290 JF

1 WHEREAS, Plaintiff Mehrdad Nikoonahad (“Nikoonahad”) filed a First Amended
2 Complaint on September 24, 2008;

3 WHEREAS, Defendant Rudolph Technologies, Inc. (“Rudolph”) intends to file a motion
4 to dismiss the First Amended Complaint, which motion must ordinarily be filed within ten days
5 after service of the amended complaint pursuant to Fed. R. Civ. P. 15 and not later than thirty-
6 five days prior to the hearing date noticed for the motion pursuant to Civ. L.R. 7-2;

7 WHEREAS, Nikoonahad intends to file an opposition to Rudolph’s motion to dismiss the
8 First Amended Complaint, which opposition must ordinarily be filed not later than twenty-one
9 days prior to the hearing date noticed for the motion pursuant to Civ. L.R. 7-3;

10 NOW THEREFORE, the parties hereto, through their undersigned counsel, stipulate and
11 agree as follows:

12 1. Rudolph shall notice any motion to dismiss the First Amended Complaint for
13 hearing on November 21, 2008, the first available hearing date according to the court clerk.

14 2. Rudolph shall file any motion to dismiss the First Amended Complaint by
15 October 13, 2008.

16 3. Nikoonahad shall file any opposition to a motion to dismiss the First Amended
17 Complaint by October 31, 2008.

18 4. Rudolph shall file any reply brief in support of the motion to dismiss the First
19 Amended Complaint by November 7, 2008.

20
21
22 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

23
24 Dated: September 26, 2008

KORDA, JOHNSON & WALL, LLP

25 By: /s/ Ardell Johnson
26 Ardell Johnson

27 *Attorneys for Plaintiff*
MEHRDAD NIKOONAHAD

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Dated: September 26, 2008

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Anthony J Weibell
Anthony J Weibell

Attorneys for Defendant
RUDOLPH TECHNOLOGIES, INC.

O R D E R

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 10/6/08


THE HON. JEREMY FOGEL
UNITED STATES DISTRICT JUDGE

DECLARATION OF CONSENT

Pursuant to General Order 45, the undersigned certifies that concurrence in the filing of
the document was obtained from each of the other signatories.

Dated: September 26, 2008

By: /s/ Anthony J Weibell
Anthony J Weibell