

**** E-filed December 21, 2009 ****

1 KEKER & VAN NEST LLP
 ELLIOT R. PETERS - #158708
 2 WENDY J. THURM - #163558
 STEVEN P. RAGLAND - #221076
 3 JOHN E. TRINIDAD - #250468
 710 Sansome Street
 4 San Francisco, CA 94111-1704
 Telephone: (415) 391-5400
 5 Facsimile: (415) 397-7188
 epeters@kvn.com
 6 wthurm@kvn.com
 sragland@kvn.com
 7 jtrinidad@kvn.com

8 Attorneys for Defendants
 MORGAN, LEWIS & BOCKIUS LLP
 9 and THOMAS D. KOHLER

10 CLARK S. STONE - #202123
 STEVEN M. LEVITAN - #148716
 11 INCHAN A. KWON - #247614
 HAYNES AND BOONE, LLP
 12 2033 Gateway Place, Suite 400
 San Jose, CA 95110
 13 Telephone: (408) 392-9250
 Facsimile: (408) 392-9262
 14 clark.stone@haynesboone.com
 steve.levitan@haynesboone.com
 15 inchan.kwon@haynesboone.com

16 Attorneys for Plaintiff
 LANDMARK SCREENS, LLC

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

21 LANDMARK SCREENS, LLC, a Delaware
 Limited Liability Company,

22 Plaintiff,

23 v.

24 MORGAN, LEWIS & BOCKIUS LLP, a
 25 limited liability partnership; and THOMAS D.
 KOHLER, an individual,

26 Defendants.
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Case No. 5:08-cv-2581 JF

**STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE HEARING ON
 PLAINTIFF'S MOTION TO COMPEL
 PRODUCTION OF DOCUMENTS
 WITHHELD AS PRIVILEGED**

Old Date: Tues., Jan. 12, 2010
 New Date: Tues, Jan. 19, 2010
 Time: 10:00 am
 Judge: Hon. Howard R. Lloyd
 Place: Courtroom 2, 5th Floor

1 This stipulation is entered into by and between Plaintiff Landmark Screens, LLC
2 (“Landmark”) and Defendants Morgan, Lewis & Bockius LLP (“MLB”) and Thomas D. Kohler
3 (“Kohler”) as follows:

4 WHEREAS, on December 1, 2009, Landmark filed a Notice of Motion and Motion to
5 Compel Production of Documents Withheld as Privileged which noticed the hearing for the
6 motion for January 5, 2010 at 10:00 a.m. before the Honorable Howard R. Lloyd [Docket No.
7 85];

8 WHEREAS, counsel for all parties entered into a stipulation to continue the hearing until
9 January 12, 2010 at 10:00 a.m. before the Honorable Howard R. Lloyd [Docket No. 93];

10 WHEREAS, on December 17, 2009, the Court of Appeal for the State of California
11 (Sixth Appellate District) notified the parties that it would hold oral argument in *Landmark*
12 *Screens, LLC v. Morgan, Lewis & Bockius LLP and Thomas D. Kohler* (Court of App. Case No.
13 H033285) on January 12, 2010;

14 WHEREAS, counsel for all parties now must appear in the Sixth District Court of Appeal
15 on January 12, 2010;

16 WHEREAS, counsel for all parties have represented that they are available for hearing on
17 Landmark’s Motion to Compel on January 19, 2010 at 10:00 a.m.;

18 NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE, through
19 their respective counsel of record, that:

20 (1) Pursuant to Civil Local Rules 6-1(a) and 7-7(a), the hearing on Landmark’s Motion to
21 Compel Production of Documents Withheld as Privileged shall be continued to January 19, 2010
22 at 10:00 a.m. before the Honorable Howard R. Lloyd.

23 (2) Pursuant to Civil Local Rules 7-7(d), Defendants MLB and Kohler shall file their
24 brief in opposition to Landmark’s motion on December 23, 2009, and Landmark shall file its
25 reply brief in support of its motion on January 5, 2010. .

26 IT IS SO STIPULATED.
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Dated: December 21, 2009

KEKER & VAN NEST LLP

By: /s/ Wendy J. Thurm
WENDY J. THURM
Attorneys for Defendants
MORGAN, LEWIS & BOCKIUS LLP
and THOMAS D. KOHLER

Dated: December 21, 2009

HAYNES AND BOONE, LLP

By: /s/ Clark S. Stone
CLARK S. STONE
Attorneys for Plaintiff
LANDMARK SCREENS, LLC

Filer's Attestation: Pursuant to General Order No. 45, Section X.B. regarding non-filing signatories, Wendy J. Thurm hereby attests that concurrence in the filing of this Stipulation and [Proposed] Order has been obtained from Clark S. Stone.

~~PROPOSED~~ ORDER

IT IS SO ORDERED.

Dated: December 21, 2009



HON. HOWARD R. LLOYD
United States Magistrate Judge