1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Mary E. Milionis, attest that concurrence in the filing of this document has been obtained from any signatories indicated by a "conformed" signature (/s/) within this e-filed document.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 2nd day of October, 2008, at San Francisco, California.

Dated: October 2, 2008

FENWICK & WEST LLP

áry E. Milionis

Attorneys for Plaintiff deCarta, Inc.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 2, 2008

The Honorable Richard Seeborg United States Magistrate Judge

20662/00406/LIT/1292176.1