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16 Attorneys for Defendant  
17 ST. PAUL FIRE AND MARINE INSURANCE COMPANY

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

21 INFOR GLOBAL SOLUTIONS  
22 (MICHIGAN), INC., a Michigan  
23 corporation,  
24 Plaintiff,  
25 v.  
26 ST. PAUL FIRE & MARINE  
27 INSURANCE COMPANY, a Minnesota  
28 corporation,  
29 Defendant.

CASE NO. C08 02621 JW  
**STIPULATION AND XXXXXXXXXXXX ORDER  
REGARDING DEPOSITION OF INFOR'S  
30(B)(6) WITNESS**



1 **RECITATIONS**

2 On June 10, 2009, defendant St. Paul Fire and Marine Insurance Company moved  
3 the court for an order permitting the continued deposition of Infor pursuant to Fed.R.Civ.P.  
4 30(b)(6). [Document 146.] By order dated August 3, 2009 the court granted that motion and  
5 permits such deposition to be taken. [Document 199.] On June 16, 2009, defendant St. Paul Fire  
6 and Marine Insurance Company moved the court for an order permitting it to amend its answer to  
7 plead the affirmative defense of unclean hands. [Document 162] By order dated July 10, 2009,  
8 the court granted that motion and permitted discovery on the issue of unclean hands to be done  
9 up through August 31, 2009. [Document 181]

10 Infor intends to produce the same witness, Gwen Nielsen, to respond to questions in  
11 response to the deposition notice that was the subject of the August 3, 2009 order [Document  
12 199], and to respond to questions concerning unclean hands as allowed by the July 10, 2009  
13 order [Document 181].

14 **STIPULATION**

15 Infor agrees that it will not object to a notice of deposition for September 17,2009, on  
16 grounds related to timeliness. For the convenience of the witness and of counsel, and to reduce  
17 unnecessary litigation expense, the parties stipulate that Ms. Nielsen shall be produced for  
18 deposition on September 17, 2009, in response to this court's orders of July 10, 2009, and of  
19 August 3, 2009, and at that time shall respond to discovery and questions concerning defendant's  
20 defense of unclean hands, notwithstanding the deadline previously set in the court's order of July  
21 10, 2009.

22 IT IS SO STIPULATED.

23  
24 DATED: August 11, 2009

GAUNTLETT & ASSOCIATES

25  
26 By:   
DAVID A. GAUNTLETT

JAMES A. LOWE

Attorneys for Plaintiff

INFOR GLOBAL SOLUTIONS (MICHIGAN), INC.

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DATED: August 12, 2009

SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: 

GREGORY C. READ  
BRUCE D. CELEBREZZE  
Attorneys for Defendant  
ST. PAUL FIRE AND MARINE INSURANCE  
COMPANY

PURSUANT TO STIPULATION IT IS SO ORDERED.

Dated: August 17, 2009



United States District Judge  
Magistrate

