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6 Attorneys for Plaintiff  
 CHRISTOPHER B. BURNHAM  
 7

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

11 CHRISTOPHER B. BURNHAM, a  
 12 Citizen of the State of Maryland,

13 Plaintiff,

14 v.

15 QIANG DU, a Citizen of the State of  
 California,

16 Defendant.

Case No. 08 CV 2747 JF (PVT)

**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE CASE  
 MANAGEMENT CONFERENCE  
 AND RELATED DEADLINES**

**Current Hearing**  
**Initial Case Management Conference**  
**Date: October 10, 2008**  
**Time: 10:30 A.M.**  
**Courtroom 3**

**Proposed Hearing**  
**Date: December 12, 2008**  
**Time: 10:30 A.M.**  
**Courtroom 3**

1 **STIPULATION**

2 **WHEREAS** defendant Qiang Du (“Du”) is the current registrant of the  
3 domain name MYH.com (“MYH.com”), the principal subject of the above-  
4 referenced action, and GoDaddy.com, Inc. (“GoDaddy”) is the current registrar;

5 **WHEREAS** shortly after the filing of the Complaint in the above-referenced  
6 action, plaintiff Christopher B. Burnham (“Burnham”) and Du, by and through their  
7 counsel, commenced negotiations to resolve the action by the transfer of the  
8 registration of MYH.com from Du to Burnham;

9 **WHEREAS** MYH.com is currently locked by GoDaddy from transfer  
10 pursuant to the filing of the Complaint in this action and GoDaddy refused to agree  
11 to the mechanism for the transfer of MYH.com proposed by Burnham and Du  
12 during their negotiations;

13 **WHEREAS** GoDaddy has since proposed an alternative procedure to  
14 accomplish the transfer of MYH.com and Burnham and Du have reached an  
15 agreement as to the procedure for transfer of MYH.com on the terms proposed by  
16 GoDaddy, plus additional terms which are irrelevant to GoDaddy, and Burnham  
17 and Du are in the process of documenting their agreement;

18 **WHEREAS** Burnham and Du have agreed, among other things, that  
19 GoDaddy will transfer MYH.com to Burnham and then lock MYH.com from  
20 further transfer, after which Burnham will request dismissal of the above-referenced  
21 action; and,

22 **WHEREAS** Burnham has not filed the proof of service of the Complaint on  
23 Du because of the prompt and effective settlement negotiations.

24  
25 ///

26  
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1           **NOW THEREFORE**, Burnham and Du request that the Court find there is  
2 GOOD CAUSE to allow the case to proceed for sixty additional days without the  
3 filing of the proof of service of the Complaint and to continue all of the deadlines  
4 set forth in the “Order Setting Initial Case management Conference and ADR  
5 Deadlines” for sixty additional days, including continuing the Case Management  
6 Conference for sixty days to December 12, 2008, or a date thereafter that is  
7 convenient for the Court, to allow time for the parties to finish documenting the  
8 settlement and for GoDaddy to transfer MYH.com to Burnham. Concurrence in the  
9 filing hereof has been obtained from Mr. McGreevy per General Order 45.

10 DATED: September 24, 2008

**Stipulated and Agreed to:**  
ARENTE FOX LLP

11  
12 By: \_\_\_\_\_/S/  
13 David G. Bayles  
14 Attorneys for Plaintiff Christopher  
Burnham

15 DATED: September 24, 2008

**Stipulated and Agreed to:**  
MCGREEVY & HENLE, LLP

16  
17 By: \_\_\_\_\_/S/  
18 Peter R. McGreevy, Esq.  
Attorneys for Defendant Qiang Du

19 **[PROPOSED] ORDER**

20 Based upon the foregoing stipulation, the Court hereby finds there is GOOD  
21 CAUSE to allow the case to continue an additional sixty days without the filing of  
22 the proof of service of the Complaint and continues all deadlines set forth in the  
23 Order Setting Initial Case Management Conference and ADR Deadlines for sixty  
24 days, including the Case Management Conference which is hereby reset for  
25 \_\_\_\_\_12/12/08\_\_\_\_\_.

26 **IT IS SO ORDERED.**

27 Dated: \_\_\_\_\_9/26/08\_\_\_\_\_

28   
United States District Court Judge

1 **Burnham v. Du**  
2 **U.S. District Court, Northern District of California Case No. 08 CV 2747 JF**  
3 **(PVT)**  
4 **PROOF OF SERVICE**

5 I am a citizen of the United States. My business address is Arent Fox LLP,  
6 555 West 5<sup>th</sup> Street, Los Angeles, CA 90013. I am employed in the County of Los  
7 Angeles where this service occurs. I am over the age of 18 years, and not a party to  
8 the within cause. On the date set forth below, according to ordinary business  
9 practice, I served the foregoing document(s) described as:

10 **Stipulation and [Proposed] Order to Continue Case Management**  
11 **Conference and Related Deadlines**

- 12  (BY FAX) I transmitted via facsimile, from facsimile number (213)  
13 629-7401, the document(s) to the person(s) on the attached service list  
14 at the fax number(s) set forth therein, on this date before 5:00 p.m. A  
15 statement that this document was successfully transmitted without  
16 error is attached to this Proof of Service.
- 17  (BY MAIL) I am readily familiar with my employer's business  
18 practice for collection and processing of correspondence for mailing  
19 with the U.S. Postal Service, and that practice is that correspondence  
20 is deposited with the U.S. Postal Service the same day as the day of  
21 collection in the ordinary course of business. On this date, I placed  
22 the document(s) in envelopes addressed to the person(s) on the  
23 attached service list and sealed and placed the envelopes for  
24 collection and mailing following ordinary business practices.
- 25  (BY E-MAIL) by personally transmitting the foregoing document(s)  
26 via electronic e-mail to the e-mail addresses of all parties.
- 27  (BY PERSONAL SERVICE) On this date, I caused to be delivered  
28 by hand envelope(s) containing the document(s) to the persons(s) on  
the attached service list.
- (BY OVERNIGHT DELIVERY) On this date, I placed the  
documents in envelope(s) addressed to the person(s) on the within  
service list, and caused those envelopes to be delivered to an  
overnight delivery carrier, with delivery fees provided for, for next-  
business-day delivery to whom it is to be served.

Peter R. McGreevy, Esq.  
McGreevy & Henle, LLP  
131 Union Avenue  
Riverhead, NY 11901

- (Federal) I declare under penalty of perjury under the laws of the  
United States that the foregoing is true and correct.

Executed on September 25, 2008 at Los Angeles, California.

/s/

Barbara Anderson