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**** E-Filed 06/12/09 ****

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13 Attorneys for Plaintiff
 14 CRYOTECH INTERNATIONAL, INC.

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN JOSE DIVISION

18 CRYOTECH INTERNATIONAL, INC., a
 19 Delaware Corporation, fka VBS
 20 INDUSTRIES INCORPORATED
 21
 22 Plaintiff,
 23
 24 vs.
 25 TECHNIFAB PRODUCTS, INC., an Indiana
 26 Corporation; and DOES 1-50 inclusive
 27
 28 Defendants.

Case No. C08 02921 HRL
 Complaint filed June 12, 2008

**JOINT STIPULATION AND REQUEST
 FOR ORDER EXTENDING DEADLINE
 FOR FACT DISCOVERY**

Magistrate Judge Howard R. Lloyd

29 The parties jointly agree that the time set out in the Modified Stipulation and Request for
 30 Order Modifying Scheduling Order and Enlarging Deadlines for Discovery and Simultaneous
 31 Expert Witness Designations and Reports and Rebuttals, Dispositive Motions, and Pre-Trial and
 32 Trial Proceedings [Doc. No. 41, filed April 20, 2009], will not allow sufficient time to conduct all
 33 of the necessary depositions before the August 31, 2009, Fact Discovery Cutoff date.

34 Plaintiff's and Defendants' counsel have agreed to extend the Fact Discovery Cutoff from
 35 August 31, 2009, to September 30, 2009.

36 Good cause exists for this Court to exercise its discretion and extend the Fact Discovery
 37 Cutoff. The parties noncompliance with the Scheduling Order's deadlines would occur
 38

1 notwithstanding diligent efforts to comply because of developments (i.e., Mr. Rubel's surgery and
2 the parties' counsel's trial and other schedules) that were not reasonably anticipated at the time of the
3 Rule 16 scheduling conference; and the parties are diligent in seeking an amendment of the
4 Scheduling Order with respect to the Fact Discovery Cutoff, only.

5 If this Court approves, the parties would extend the Fact Discovery Cutoff to September
6 30, 2009.

7 IT IS HEREBY STIPULATED, that the deadline for Fact Discovery Cutoff is extended
8 from August 31, 2009, to September 30, 2009.

9 Respectfully submitted,

10 JOHANSON BERENSON LLP

11 Dated: June 11, 2009

12 By: /s/ Douglas A. Rubel
13 DOUGLAS A. RUBEL
14 Attorneys for Plaintiff Cryotech
15 International, Inc.

16 ROBINSON & WOOD, INC.

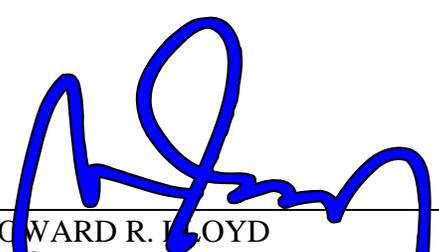
17 Dated: June 11, 2009

18 By: /s/ Arthur J. Casey
19 ARTHUR J. CASEY
20 Attorneys for Defendant
21 Technifab Products, Inc.

22 **ORDER**

23 Good cause thereby appearing the Fact Discovery Cutoff is extended from August 31,
24 2009 to September 30, 2009.

25 Dated: June 12, 2009

26 
27 HOWARD R. LLOYD
28 UNITED STATES MAGISTRATE JUDGE