

E-Filed 12/1/08

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 12 Attorneys for Defendant
 13 FORTINET, INC.

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

12 ENRICO GARGALE,	)	CASE NO.: CV-08-3167-JF
)	
13 Plaintiff,	)	STIPULATION AND [PROPOSED]
	)	ORDER TO EXTEND TIME IN
14 v.	)	WHICH DEFENDANT FORTINET,
	)	INC. MUST FILE A RESPONSIVE
15 FORTINET, INC. and DOES 1 through 50,	)	PLEADING & CONTINUING CMC
	)	DATE
16 Defendants.	)	Current CMC Date: December 19, 2008
	)	Proposed CMC Date: January 30, 2009
	)	Before: Hon. Jeremy Fogel
)	

20 WHEREAS, Plaintiff filed his Complaint on July 1, 2008;
 21
 22 WHEREAS, Defendant Fortinet, Inc.'s responsive pleading is currently due on December
 23 3, 2008;
 24
 25 WHEREAS, the Rule 26(f) Report, initial disclosures, and Case Management Statement
 26 are currently due on December 11, 2008;
 27
 28 WHEREAS, the Initial Case Management Conference is currently scheduled for
 December 19, 2008;
 WHEREAS, the parties desire to defer such deadlines in order to pursue settlement
 discussions;

1 NOW, THEREFORE, the parties, by and through their undersigned counsel of record,
2 hereby agree and stipulate to the following:

3 1. Defendant Fortinet, Inc. will file a responsive pleading on or before January 16,
4 2009.

5 2. The Rule 26(f) Report, initial disclosures, and Case Management Statement will
6 be filed on or before January 23, 2009.

7 3. The Initial Case Management Conference currently scheduled for December 19,
8 2008 is hereby continued until January 30, 2009, or to such later date as may be ordered by the
9 Court.

10

11 Dated: November 25, 2008

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15 By: /s/ Michael C. Osborne

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Michael C. Osborne

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Counsel for Plaintiff Enrico Gargale

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Dated: November 25, 2008

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22 By: /s/ Jenny L. Dixon

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Jenny L. Dixon

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Counsel for Defendant Fortinet, Inc.

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[PROPOSED] ORDER

Based upon the above stipulation of the parties, and for good cause appearing therefor, IT IS HEREBY ORDERED THAT:

1. Defendant Fortinet, Inc. will file a responsive pleading on or before January 16, 2009.
2. The Rule 26(f) Report, initial disclosures, and Case Management Statement will be filed on or before January 23, 2009.
3. The Initial Case Management Conference currently scheduled for December 19, 2008 is hereby continued until January 30, 2009, or to such later date as may be ordered by this Court.

December 1, 2008
Dated: ~~November _____, 2008~~



Hon. Jeremy Fogel
United States District Judge

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Pamela E. Glazner, attest that concurrence in the filing of this document has been obtained from each of the signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 25th day of November, 2008 at Palo Alto, California.

By: /s/ Pamela E. Glazner

Pamela E. Glazner

Counsel for Defendant Fortinet, Inc.