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 6
 Attorneys for Defendant
 7 FORTINET, INC.

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

12 ENRICO GARGALE,)	CASE NO.: CV-08-3167-JF
)	
13 Plaintiff,)	STIPULATION TO EXTEND
)	DEFENDANT'S TIME TO RESPOND
14 v.)	TO COMPLAINT; [PROPOSED]
)	ORDER
15 FORTINET, INC. and DOES 1 through 50,)	CMC Date: January 30, 2009
)	
16 Defendants.)	Before: Hon. Jeremy Fogel
)	
)	
)	
)	
19)	

20 WHEREAS, pursuant to the Court's Order dated December 1, 2008, Defendant Fortinet,
 21 Inc.'s response to Plaintiff's Complaint is currently due on January 16, 2009;

22 WHEREAS, counsel for Plaintiff has agreed to extend the time within which Defendant's
 23 response to the Complaint shall be due;

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1 THEREFORE, the parties to this action, by and through their attorneys, hereby
2 STIPULATE AND AGREE, subject to approval of the Court, that Defendant shall have until and
3 including January 21, 2009 to respond to the Complaint. All other deadlines will remain the
4 same.

5 Dated: January 16, 2009

Shook, Hardy & Bacon L.L.P.
333 Bush Street, Suite 600
San Francisco, CA 94104-2828
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9 By: /s/ Michael C. Osborne

10 Michael C. Osborne

11 *Counsel for Plaintiff Enrico Gargale*

12 Dated: January 16, 2009

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20 By: /s/ Jenny L. Dixon

21 Jenny L. Dixon


22 *Counsel for Defendant Fortinet, Inc.*

23 **[PROPOSED] ORDER**

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

26 Defendant Fortinet, Inc. shall have until and including January 21, 2009 to respond to the
27 Complaint. All other deadlines will remain the same.

28 Dated: January 20 , 2009



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 16th day of January, 2009 at Palo Alto, California.

By: /s/ Pamela E. Glazner

Pamela E. Glazner

Counsel for Defendant Fortinet, Inc.