

1 [SEE SIGNATURE PAGE FOR COUNSEL LISTINGS]

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6 UNITED STATES DISTRICT COURT
7 NORTHERN DISTRICT OF CALIFORNIA
8 SAN JOSE DIVISION

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10 GOOGLE INC., AOL LLC, YAHOO! INC., IAC
SEARCH & MEDIA, INC., and LYCOS, INC.,

11 Plaintiffs,

12 v.

13 L. DANIEL EGGER, SOFTWARE RIGHTS
14 ARCHIVE, LLC, and SITE TECHNOLOGIES,
INC.,

15 Defendants.

Case No. CV 08-03172 RMW (RS)

**JOINT STIPULATED REQUEST TO
RESCHEDULE INITIAL CASE
MANAGEMENT CONFERENCE**

DATE: October 10, 2008
TIME: 10:30 a.m.
PLACE: Courtroom 6, 4th Floor
JUDGE: Honorable Ronald M. Whyte

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17 Pursuant to Civil Local Rule 6-2(a) and 6-1(b), Plaintiffs GOOGLE INC., AOL LLC,
18 YAHOO! INC., IAC SEARCH & MEDIA, INC., and LYCOS, INC., (collectively "Plaintiffs")
19 and Defendants L. DANIEL EGGER, SOFTWARE RIGHTS ARCHIVE, LLC, and SITE
20 TECHNOLOGIES, INC., (collectively, "Defendants") hereby stipulate to the postponement of the
21 Initial Case Management Conference currently scheduled for October 10, 2008 at 10:00 a.m. The
22 parties request that a new Initial Case Management Conference be continued to November 14,
23 2008 at 10:00 a.m. and that the parties' obligations under Federal Rules of Civil Procedure 26(a)
24 and 26(f) be rescheduled accordingly. Assuming entry of the ORDER as requested, the parties'
25 Case Management Statement will be due on November 7, 2008.

26 Defendants have requested this schedule modification, and Plaintiffs do not oppose it. In
27 addition, the parties are engaged in jurisdictional discovery and motion practice in a related case
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1 pending in the Eastern District of Texas. The parties believe that the benefit of this discovery will
2 allow for a more productive Initial Case Management Conference.

3 In addition, the parties have stipulated and agreed that Defendants may answer or
4 otherwise respond to the Complaint on November 10, 2008.

5 There have been no other schedule modifications in this case. The parties believe that
6 rescheduling the Case Management Conference to November 14, 2008, will not prejudice the
7 parties or significantly impact the ultimate schedule for resolution of the case.

8 This stipulation is made without prejudice to seek additional orders from the Court, subject
9 to Court approval.

10
11 Dated: September 22, 2008

Respectfully submitted,

12 By: /s/ Juanita R. Brooks

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Attorneys for Defendants L. DANIEL EGGER,
SOFTWARE RIGHTS ARCHIVE, LLC, and
SITE TECHNOLOGIES, INC.

1 **DECLARATION OF CONSENT**

2 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under
3 penalty of perjury that concurrence in the filing of this document has been obtained from counsel
4 for Plaintiffs Google Inc., AOL LLC and Yahoo! Inc. and Defendants L. Daniel Egger, Software
5 Rights Archive, LLC, and Site Technologies, Inc.

6
7 Dated: September 22, 2008

By: /s/ Jennifer A. Kash

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CASE MANAGEMENT ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Case Management Conference scheduled for October 10, 2008 at 10:30 a.m., is rescheduled to _____, 2008 at _____. Defendants shall have until November 10, 2008 to answer or otherwise respond to the Complaint in this action.

Dated: _____
Honorable Ronald M. Whyte
Judge of the United States District Court