

1 [SEE SIGNATURE BLOCK FOR COUNSEL]

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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

Plaintiffs,

v.

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

Defendants.

CASE NO. CV 08-03172-RMW

**STIPULATED REQUEST FOR
ORDER AND [PROPOSED] ORDER
SHORTENING TIME FOR HEARING
ON PLAINTIFFS' CROSS-MOTION
TO COMPEL PRODUCTION OF
DOCUMENTS FROM DEFENDANT
SOFTWARE RIGHTS ARCHIVE, LLC**

Hearing Date: February 27, 2009

Hearing Time: 9:00 AM

1 **STIPULATION**

2 Subject to the approval of this Court and pursuant to Civil Local Rule 6-2, the parties
3 hereby stipulate to the following briefing and hearing schedule:

4 WHEREAS, a hearing is scheduled for February 27, 2009 on Defendants' Motion to
5 Dismiss, Transfer or Stay ("Motion to Dismiss"), filed on November 10, 2008, and Plaintiffs'
6 Motion to Strike Site Technologies, Inc.'s Motion to Dismiss, Transfer or Stay ("Motion to
7 Strike"), filed on January 20, 2009;

8 WHEREAS, the parties have previously stipulated, subject to Court approval, that
9 Defendants' L. Daniel Egger's and Software Rights Archive LLC's ("SRA") Motion to Quash
10 Plaintiffs' 30(b)(6) Notice of Deposition and for Protection ("Motion to Quash"), filed on January
11 20, 2009, currently set for hearing on February 24, 2009 before Judge Trumbull, be instead heard
12 by this Court on February 27, 2009 with the Motion to Dismiss and the Motion to Strike;

13 WHEREAS, Plaintiffs intend to file a related Cross-Motion to Compel the Production of
14 Documents from SRA;

15 WHEREAS, the parties have reached an agreement regarding a shortened briefing
16 schedule so that the Court may hear the Defendants' Motion to Quash and the Plaintiffs' Cross-
17 Motion to Compel at the February 27, 2009 hearing;

18 WHEREAS, there have been two other schedule modifications in this case (*See* Docket
19 Nos. 20, 60), and the parties believe that shortening the time for the hearing on Plaintiffs' Cross-
20 Motion will not prejudice the parties or significantly impact the case schedule;

21 Accordingly, IT IS HEREBY STIPULATED by and between Plaintiffs and Defendants,
22 through their respective counsel of record, that the following briefing and hearing schedule will
23 apply to Plaintiffs' Motion to Compel:

- 24 i) Plaintiffs' Cross-Motion to Compel will be filed on February 3, 2009;
- 25 ii) Defendants' response to Plaintiffs' Cross-Motion will be due on Tuesday, February
26 17, 2009;
- 27 iii) Plaintiffs' reply in support the Cross-Motion will be due on Monday, February 23,
28 2009;

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iv) Plaintiffs' Motion to Compel will be heard on February 27, 2009.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: _____

The Honorable Ronald M. Whyte
United States District Court Judge

1 Dated: February 3, 2009

Respectfully submitted,

2 By: /s/ Thomas B. Walsh, IV

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DECLARATION OF CONSENT

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from counsel for the Defendants and counsel for Plaintiffs Google Inc., AOL LLC, and Yahoo! Inc.

Dated: February 3, 2009

/s/ Jennifer A. Kash
Jennifer A. Kash