

1 Jonathan J. Lamberson (SBN 239107/lamberson@fr.com)  
 FISH & RICHARDSON P.C.  
 2 500 Arguello Street, Suite 500  
 Redwood City, CA 94063  
 3 Telephone: (650) 839-5070  
 4 Facsimile: (650) 839-5071

5 Drew Meunier ((Pro Hac Vice pending) /Meunier@fr.com)  
 Christopher O. Green ((Pro Hac Vice pending) /cgreen@fr.com)  
 6 FISH & RICHARDSON P.C.  
 1180 Peachtree Street, NE, 21st Floor  
 7 Atlanta, GA 30309  
 8 Telephone: 404-892-5005  
 Facsimile: 404-892-5002

\*E-FILED - 9/24/08\*

9 Attorneys for Defendant  
 10 CYOPTICS, INC

11  
 12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 SAN JOSE DIVISION

15  
 16 JDS UNIPHASE

Case No. C08-03498 RMW

17 Plaintiff,

18 v.

19 SYNTUNE, AB, and CYOPTICS, INC.

20 Defendants.

**STIPULATION AND [XXXXXXXXXXXXXXXXXX]  
 ORDER EXTENDING TIME IN WHICH  
 DEFENDANT CYOPTICS INC. MAY  
 RESPOND TO PLAINTIFF'S  
 COMPLAINT**

Complaint Filed: September 11, 2008  
 The Honorable Ronald M. Whyte

21  
 22  
 23  
 24 IT IS HEREBY STIPULATED, by and between Defendant Cyoptics, Inc. and Plaintiff JDS  
 25 Uniphase, through their respective counsel of record, that the deadline for Cyoptics, Inc. to provide  
 26 a response of Cyoptics, Inc. to Plaintiff's Complaint, currently due on or before September 19,  
 27 2008, shall be extended to September 24, 2008. The response was first due on or before August 20,

1 2008. This stipulated extension request is made due to a change in counsel by Cyoptics, Inc. This  
2 change should not otherwise affect the current schedule for this case.

3  
4 Dated: September 11, 2008

FISH & RICHARDSON P.C.

5  
6 By: /s/ Jonathan J. Lamberson  
Jonathan J. Lamberson

7  
8 Attorneys for Defendant  
Cyoptics, Inc.

9  
10 Dated: September 11, 2008

FAEGRE & BENSON

11  
12 By: /s/ Mary V. Sooter  
Mary V. Sooter

13 Natalie Hanlon-Leh  
14 Attorneys for Plaintiff  
JDS Uniphase

15  
16 **ATTESTATION PURSUANT TO GENERAL ORDER 45.X.B.**

17 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty  
18 of perjury that concurrence in the filing of this document has been obtained by each of the  
19 signatories.

20  
21 Dated: September 11, 2008

FISH & RICHARDSON P.C.

22  
23 By: /s/ Jonathan J. Lamberson  
Jonathan J. Lamberson

24 Attorneys for Defendant  
25 Cyoptics, Inc.

XXXXXXXXXXXXXXXXXXXX **ORDER**

**PURSUANT TO STIPULATION, IT IS SO ORDERED.** The deadline for Cyoptics, Inc. to provide a response to Plaintiff's Complaint, currently due on or before September 19, 2008, shall be extended to September 24, 2008.

Dated: 9/24/08

*Ronald M. Whyte*  
\_\_\_\_\_  
Honorable Ronald M. Whyte  
United States District Court

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28