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

16 ROBERT OLSZEWSKI, SARA BERTSCH,
17 JACQUELINE MACIA, PHILIP McHALE,
and RUSSELL BLACKADAR, individuals,

18 Plaintiffs,

19 v.

20 SYMYX TECHNOLOGIES, INC., and
21 ELSEVIER, INC.,
22 Corporations,

23 Defendants.

Civil Action No. CV 08 3657 HRL

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE HEARING
ON DEFENDANTS' MOTIONS TO
DISMISS**

24
25 Pursuant to United States District Court for the Northern District of California Civil L.R.
26 6-2(a), plaintiffs Robert Olszewski, Sara Bertsch, Jacqueline Macia, Philip McHale, and Russell
27 Blackadar (collectively, "Plaintiffs") and defendants Symyx Technologies, Inc. ("Symyx") and
28 Elsevier Inc. ("Elsevier"), by and through their respective counsel, hereby submit the following

1 joint stipulation:

2 Defendants' motions to dismiss were originally noticed for hearing on April 21, 2009. On
3 April 16, 2009, the Court continued the hearing to May 26, 2009 at 10:00 a.m. Because counsel
4 for defendants has a conflict on the May 26, 2009, the parties hereby request that the Court
5 continue, and stipulate that the Court continue, the hearing on defendants' motions to dismiss
6 currently scheduled for Tuesday, May 26, 2009 at 10:00 a.m. until Tuesday, June 2, 2009 at 10:00
7 a.m.

8 **IT IS SO STIPULATED:**

9 Dated: May 11, 2009

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STEVEN L. FRIEDLANDER (154146)
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15 Dated: May 8, 2009

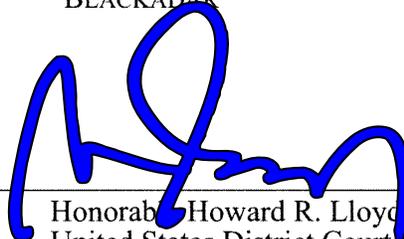
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MACIA, PHILIP MCHALE, AND RUSSELL
BLACKADAR

22 **IT IS SO ORDERED:**

24 Dated: 05/11/2009



Honorable Howard R. Lloyd
United States District Court Magistrate Judge