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| 6 | Attorneys for Plaintiff RYUICHI HIRAIDE | <u>*E-FILED - 7/16/09*</u> |
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| 8 | UNITED STATES DISTRICT COURT | |
| 9 | NORTHERN DISTRICT OF CALIFORNIA | |
| 10 | | |
| 11 | RYUICHI HIRAIDE | Case No. C08-04714 RMW (PVT) |
| 12 | Plaintiff, | STIPULATION AND [] |
| 13 | v. | ORDER EXTENDING DEADLINE TO HOLD ADR SESSION |
| 14 | VAST SYSTEMS TECHNOLOGY | |
| 15 | CORPORATION, ALAIN LABAT and KYLE PARK, MDV VII, L.P. as nominee for: MDV VII, L.P., MDV VII Leaders | |
| 16 | Fund, L.P., MDV Entrepreneurs Network Fund VII (A) LP. And MDV Entrepreneurs, | |
| 17 | Network Fund VII (B) L.P., MDV Partners L.L. and Seventh MDV Partners L.L.C. | |
| 18 | Defendant. | |
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| 28 | | CTID AND II ODDED EVENDING |
| | | STIP. AND [] ORDER EXTENDING DEADLINE TO HOLD ADR SESSION CASE NO. C08-04714 |

| 1 | WHEREAS, on April 16, 2009, Plaintiff filed his ADR Certification by Parties and | | |
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| 2 | Counsel (Docket No. 40) pursuant to ADR L.R. 3-5 b; and | | |
| 3 | WHEREAS, on April 17, 2009, Defendants filed their ADR Certification by Parties and | | |
| 4 | Counsel (Docket No. 41) pursuant to ADR L.R. 3-5 b; and | | |
| 5 | WHEREAS, on April 16, 2009, the parties filed a Stipulation and Proposed Order | | |
| 6 | Selecting Private ADR Process (Docket No. 39); and | | |
| 7 | WHEREAS, on April 20, 2009, the Court entered a Stipulation and Order Selecting | | |
| 8 | Private ADR Process (Docket No. 43); and | | |
| 9 | WHEREAS, the Court's April 20, 2009 Order Selecting Private ADR Process set the | | |
| 10 | deadline to hold the ADR session on July 20, 2009. | | |
| 11 | WHEREAS, despite the best efforts of the parties to select a mutually agreed upon | | |
| 12 | mediator and to arrange a mutually convenient time for private mediation, the earliest possible | | |
| 13 | date to hold the ADR session was July 28, 2009; and | | |
| 14 | WHEREAS, after agreeing on July 28, 2009 as a suitable date, additional scheduling | | |
| 15 | difficulties have since arisen and Plaintiff's Counsel has asked for the mediation to commence in | | |
| 16 | early- to mid-August 2009 | | |
| 17 | THEREFORE IT IS HEREBY STIPULATED AND AGREED, by and between the | | |
| 18 | parties through their counsel of record: | | |
| 19 | The deadline to hold the ADR session shall be extended to August 15, 2009. | | |
| 20 | IT IS SO STIPULATED. | | |
| 21 | Dated: July 2, 2009 MURRAY & HOWARD, LLP | | |
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| 23 | By: /s/ Derek G. Howard DEREK G. HOWARD | | |
| 24 | Attorney for Plaintiff RYUICHI HIRAIDE | | |
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| 1 | Dated: July 2, 2009 | O'MELVENY MYERS LLP | |
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| 2 | | By:/s/ Dhaivat H. Shah | |
| 3 | | DHAIVAT H. SHAH | |
| 4 5 | | Attorney for Defendants VAST SYSTEMS TECHNOLOGY CORPORATION, ALAIN LABAT, KYLE PARK, MDV VII, L.P., and SEVENTH MDV PARTNERS L.L.C. | |
| 6 | | | |
| 7 | <u>ORDER</u> | | |
| 8 | Pursuant to Stipulation, and Good Cause having been shown, IT IS SO ORDERED. | | |
| 9 | 7/16 | Ronald M. Whyte | |
| 10 11 | Dated: | HON. RONALD M. WHYTE UNITED STATES DISTRICT JUDGE | |
| | | UNITED STATES DISTRICT JUDGE | |
| 12 | I Donale C. Howard are the ECE II | can whose ID and necessary and one being used to file this | |
| 13 | I, Derek G. Howard, am the ECF User whose ID and password are being used to file this | | |
| 14 | Stipulation and Proposed Order Setting Briefing Schedule. In compliance with General Order 45, | | |
| 15 | X.B., I hereby attest that Dhaivat H. Shah h | nas concurred in this filing. | |
| 16 | | | |
| 17 | | By: /s/ Derek G. Howard DEREK G. HOWARD | |
| 18 | | DEREN G. HO WIND | |
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| 1 | CERTIFICATE OF SERVICE | | |
|---------------------------------|--|--|--|
| 2 | Re: <i>Hiraide v. VaST Systems Technology Corporation et al.</i> Case No. 08-04714 RMW | | |
| 3 4 | I certify and declare under penalty of perjury that I: am a citizen of the United States and employed in the County of Alameda, State of California, am over eighteen (18) years of age and | | |
| 5 | my business address is Murray & Howard, LLP, 900 Larkspur Landing Circle, Suite 103, Larskpur, California 94939, whose members are members of the State Bar of California. I am not a party to or interested in the cause entitled upon the document to which this Certificate of Service is affixed; and that I served a true and correct copy of the following document(s) in the manner indicated below: STIPULATION AND [PROPOSED] ORDER EXTENDING DEADLINE TO HOLD ADR SESSION | | |
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| 7 8 | | | |
| 9 | XX By USDC ECF: by USDC Live System-Document Filing System on all interested parties registered for e-filing. I declare under the penalty of perjury that the foregoing is true and correct. Executed on July 2, 2009 at Larkspur, California. | | |
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| 14 | By: /s/ Amanda L. Arnall | | |
| 15 | AMANDA L. ARNALL | | |
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