

1 DEREK G. HOWARD (#118082)
 GILMUR R. MURRAY (#111856)
 2 **MURRAY & HOWARD, LLP**
 900 Larkspur Landing Circle, Suite 103
 3 Larkspur, California 94939
 T: (415) 461-3200
 4 F: (415) 461-3208
 dhoward@murrayhowardlaw.com

5 Attorneys for Plaintiff RYUICHI HIRAIDE

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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

11 RYUICHI HIRAIDE

12 Plaintiff,

13 v.

14 VAST SYSTEMS TECHNOLOGY
 CORPORATION, ALAIN LABAT and
 15 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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Case No. C08-04714 RMW (PVT)

STIPULATION AND ORDER EXTENDING DEADLINE TO HOLD ADR SESSION

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 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
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

