

1 JAMES A. DiBOISE, State Bar No. 83296
 jdiboise@wsgr.com
 2 BRIAN G. MENDONCA, State Bar No. 209728
 bmendonca@wsgr.com
 3 WILSON SONSINI GOODRICH & ROSATI
 Professional Corporation
 4 One Market, Spear Tower, Suite 3300
 San Francisco, CA 94105
 5 Telephone: (415) 947-2000
 Facsimile: (415) 947-2099

6 Attorneys for Plaintiff
 7 ACTUATE CORPORATION

E-FILED - 1/29/09

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

ACTUATE CORPORATION, a Delaware corporation,

Plaintiff,

v.

FEDERAL HOME LOAN MORTGAGE CORPORATION, a federally-chartered corporation,

Defendant.

) CASE NO.: 08-CV-5076 RMW
)
) **STIPULATION AND ~~PROPOSED~~**
) **ORDER TO RESCHEDULE CASE**
) **MANAGEMENT CONFERENCE**

Before: Hon. Ronald M. Whyte

1 WHEREAS, plaintiff Actuate Corporation (“Actuate”) brought the above-captioned
2 action against defendant Federal Home Loan Mortgage Corporation (“Freddie Mac”) on
3 November 6, 2008;

4 WHEREAS, the Court set the Case Management Conference in this matter for February
5 13, 2009;

6 WHEREAS, counsel for both parties respectfully request that the Court reschedule the
7 Case Management Conference in order to accommodate plaintiff’s counsel’s scheduling conflict
8 with the originally set date;

9 IT IS THEREFORE STIPULATED AND AGREED BY THE PARTIES, AND THE
10 COURT HEREBY ORDERS, that the Case Management Conference in this matter is hereby
11 rescheduled for March 13, 2009 at 10 a.m. and all deadlines in the case are moved accordingly.


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Respectfully submitted and so stipulated,

Dated: January 23, 2009

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: 
Brian Mendonca

One Market Street
Spear Tower, Suite 3300
San Francisco, CA 94105
Telephone: (415) 947-2000
Facsimile: (415) 947-2099

Attorneys for Plaintiff
ACTUATE CORPORATION

Dated: January 23, 2009

MORRISON & FOERSTER, LLP

By: 
Michael A. Jacobs

425 Market Street
San Francisco, CA 94105
Telephone: (415) 268-7000
Facsimile: (415) 268-7522
E-mail: MJacobs@mof.com

Attorneys for Defendant
FEDERAL HOME LOAN MORTGAGE
CORPORATION

IT IS SO ORDERED.

Dated: 1/29/09

By: 
Hon. Ronald M. Whyte

1 JAMES A. DiBOISE, State Bar No. 83296
jdiboise@wsgr.com
2 BRIAN G. MENDONCA, State Bar No. 209728
bmendonca@wsgr.com
3 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
4 One Market, Spear Tower, Suite 3300
San Francisco, CA 94105
5 Telephone: (415) 947-2000
Facsimile: (415) 947-2099
6

7 Attorneys for Plaintiff
ACTUATE CORPORATION

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ACTUATE CORPORATION, a Delaware corporation,
Plaintiff,
v.
FEDERAL HOME LOAN MORTGAGE CORPORATION, a federally-chartered corporation,
Defendant.

) CASE NO.: CV 08 5076
)
)
) **CERTIFICATE OF SERVICE**
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) JURY TRIAL DEMANDED
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CERTIFICATE OF SERVICE

I, Shirley R. Frazier, declare:

I am employed in San Francisco County, State of California. I am over the age of 18 years and not a party to the within action. My business address is Wilson Sonsini Goodrich & Rosati, One Market, Spear Tower, Suite 3300, San Francisco, California 94105.

On this date, I served:

1. **STIPULATION AND [PROPOSED] ORDER TO RESCHEDULE CASE MANAGEMENT CONFERENCE**

By placing the document(s) in a sealed envelope for collection and mailing with the United States Postal Service on this date to the following person(s):

Michael Jacobs, Esq.
Morrison & Foerster, LLP
425 Market Street
San Francisco, CA 94105-2482

By consigning the document(s) to an express mail service for guaranteed next day delivery to the following person(s):

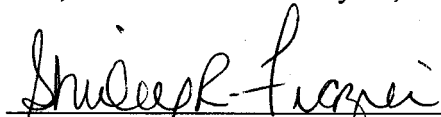
By consigning the document(s) to a messenger for guaranteed hand delivery on this date to the following person(s):

By consigning the document(s) to a facsimile operator for transmittal on this date to the following person(s):

By forwarding the document(s) by electronic transmission on this date, in compliance with Civil L.R. 23-2, to the Designated Internet Site(s) listed below:

I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of documents for delivery according to instructions indicated above. In the ordinary course of business, documents would be handled accordingly.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California on January 23, 2009.



Shirley R. Frazier