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6 | Attorneys for Plaintiff Multiven, Inc.

7 |

8 | UNITED STATES DISTRICT COURT

9 | NORTHERN DISTRICT OF CALIFORNIA

10 | SAN JOSE DIVISION

11 | MULTIVEN, INC., a Delaware corporation,) CASE NO. 08-CV-05391 JW-RS

12 | Plaintiff,) STIPULATION AND [PROPOSED]
) ORDER EXTENDING
13 | vs.) COUNTERDEFENDANTS' TIME TO
) RESPOND TO THE FIRST AMENDED
14 | CISCO SYSTEMS, INC., a California) COUNTERCLAIMS
corporation,)
15 |) Assigned to:
Defendant.) Honorable James Ware
16 | _____)
)
17 | CISCO SYSTEMS, INC., a California)
corporation,)
18 |)
Counterclaimant,)
19 |)
vs.)
20 |)
MULTIVEN, INC., a Delaware corporation;)
21 | PINGSTA, INC., a Delaware corporation;)
and PETER ALFRED-ADEKEYE, an)
22 | individual,)
)
23 | Counterdefendants.)
_____)
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STIP. & [PROPOSED] ORDER EXTENDING COUNTERDEFENDANTS' TIME
Case No. 08-CV-05391 JW-RS

BLECHER & COLLINS
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

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A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

1   IT IS HEREBY STIPULATED, pursuant to Northern District of California Local

2   Rules 6-1(a), 6-2, and 7-12, by and between plaintiff/counterdefendant Multiven, Inc.

3   counterdefendant Pingsta, Inc. and counterdefendant Peter Alfred-Adekeye and

4   defendant/counterclaimant Cisco Systems, Inc., by and through their respective

5   attorneys, as follows:

6   WHEREAS, Plaintiff Multiven, Inc. filed its Complaint on December 1, 2008;

7   WHEREAS, the parties previously modified the date of the Case Management

8   Conference by stipulation and Order on December 29, 2008, March 27, 2009 and on or

9   about April 30, 2009;

10   WHEREAS, the parties previously extended defendant Cisco Systems, Inc.'s

11   time to respond to the Complaint by stipulations and Orders on December 29, 2008,

12   March 11, 2009, March 27, 2009 and on or about April 30, 2009.

13   WHEREAS, defendant Cisco Systems, Inc. filed an Answer and Counterclaims

14   on May 18, 2009;

15   WHEREAS, the Case Management Conference was set for June 15, 2009

16   (subsequently vacated by Court);

17   WHEREAS, the parties submitted a Joint Case Management Statement on June

18   5, 2009;

19   WHEREAS, the Court entered a Scheduling Order on June 10, 2009.

20   WHEREAS, Defendant Cisco Systems Inc. filed an answer and First Amended

21   Counterclaims on June 25, 2009 adding Pingsta, Inc. as a Counterdefendant.

22   WHEREAS, the parties agree that the counterdefendants shall have until and

23   including August 14, 2009 to move, answer, or otherwise respond to the First Amended

24   Counterclaims.

25   NOW, THEREFORE, the parties, by and through their counsel of record,

26   stipulate that, if acceptable to the Court:

27   1.   Counterdefendants Multiven, Inc., Pingsta, Inc. and Peter Alfred-Adekeye

28   shall have until and including August 14, 2009 to move, answer, or

-1-

otherwise respond to the First Amended Counterclaims.

IT IS SO STIPULATED.

Dated: July 14, 2009

BLECHER & COLLINS, P.C.
MAXWELL M. BLECHER
DONALD R. PEPPERMAN

By: /s/ Donald R. Pepperman
DONALD R. PEPPERMAN
Attorneys for Plaintiff Multiven, Inc.

Dated: July 14, 2009

GIBSON DUNN & CRUTCHER LLP
ROBERT E. COOPER
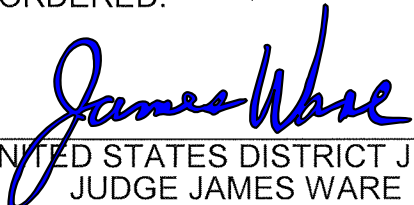GEORGE A. NICOUD III
AUSTIN V. SCHWING

By: /s/ George A. Nicoud III
GEORGE A. NICOUD III
Attorneys for Defendant Cisco Systems, Inc.

ORDER

1. Counterdefendants Multiven, Inc. and Peter Alfred-Adekeye shall have until and including August 14, 2009 to move, answer, or otherwise respond to the First Amended Counterclaims.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 16, 2009

UNITED STATES DISTRICT JUDGE
JUDGE JAMES WARE

39051

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BLECHER & COLLINS
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

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<u>ATTESTATION PURSUANT TO GENERAL ORDER NO. 45</u>

Pursuant to General Order No. 45 of the Northern District of California, I attest that concurrence in the filing of the document has been obtained from each of the other signatories to this document.

By: /s/ Donald R. Pepperman

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