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8 MULTIVEN, INC. AND PETER ALFRED-
ADEKEYE

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

13 MULTIVEN, INC. a Delaware
corporation,

14 Plaintiff,

15 v.

16 CISCO SYSTEMS, INC., a California
corporation,

17 Defendant.

19 CISCO SYSTEMS, INC., a California
corporation,

20 Counterclaimant,

21 v.

23 MULTIVEN, INC. a Delaware
corporation; PINGSTA, INC., a Delaware
corporation; and PETER ALFRED
ADEKEYE, an individual,

24 Counterdefendants.
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CASE NO. C 08-05391 JW-RS

Assigned to Honorable James Ware

27 **STIPULATION AND [PROPOSED] ORDER**
EXTENDING COUNTERDEFENDANTS'
TIME TO RESPOND TO THE FIRST
AMENDED COUNTERCLAIMS

1 IT IS HEREBY STIPULATED, pursuant to Northern District of California Local Rules 6-
2 1(a), 6-2, and 7-12, by and between plaintiff/counterdefendant Multiven, Inc., counterdefendant
3 Pingsta, Inc. and counterdefendant Peter Alfred-Adekeye and defendant/counterclaimant Cisco
4 Systems, Inc., by and through their respective attorneys, as follows:

5 WHEREAS, Plaintiff Multiven, Inc. filed its complaint on December 1, 2008;

6 WHEREAS, the parties previously extended defendant Cisco Systems, Inc.'s time to
7 respond to the Complaint by stipulations and Orders on December 29, 2008, March 27, 2009 and
8 on or about April 30, 2009;

9 WHEREAS, defendant Cisco Systems, Inc. filed an Answer and Counterclaims on May
10 18, 2009;

11 WHEREAS, the Case Management Conference was set for June 15, 2009 (subsequently
12 vacated by the Court);

13 WHEREAS, the parties submitted a Joint Case Management Statement on June 5, 2009;

14 WHEREAS, the Court entered a Scheduling Order on June 10, 2009;

15 WHEREAS, Defendant Cisco Systems, Inc. filed an Answer and First Amended
16 Counterclaims on June 25, 2009 adding Pingsta, Inc. as a Counterdefendant;

17 WHEREAS, the parties previously extended Counterdefendants Multiven, Inc., Pingsta,
18 Inc. and Peter Alfred –Adekeye's time to respond to the First Amended Countercliams by
19 stipulations and Orders on or about July 16, 2009;

20 WHEREAS, Counterdefendants Multiven, Inc. and Peter Alfred –Adekeye have recently
21 obtained new counsel to defend against the Counterclaims;

22 NOW, THEREFORE, the parties, by and through their counsel for record, stipulate that, if
23 acceptable to the Court:

- 24 1. Counterdefendants Multiven, Inc., Pingsta, Inc. and Peter Alfred-Adekeye shall
25 have until and including September 4, 2009 to move, answer, or otherwise respond
26 to the First Amended Counterclaims.

27 IT IS SO STIPULATED.

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Dated: August 10, 2009

ROPERS, MAJESKI, KOHN & BENTLEY

By: /s/ Thomas M. O'Leary
JAMES C. POTEPAN
THOMAS M. O'LEARY
BRIAN C. VANDERHOOF
Attorneys for Plaintiff
Multiven, Inc.

Dated: August 10, 2009

GIBSON DUNN & CRUTCHER LLP

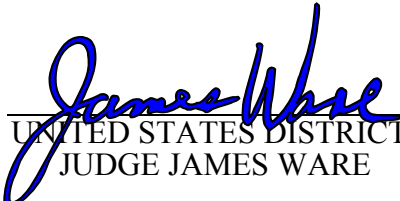
By: /s/ George A. Nicoud, III
GEORGE A. NICOUD III
Attorneys for Defendant Cisco Systems,
Inc.

ORDER

1. Counterdefendants Multiven, Inc., Pingsta, Inc. and Peter Alfred-Adekeye shall have until and including September 4, 2009 to move, answer, or otherwise respond to the First Amended Counterclaims.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: August 12, 2009


UNITED STATES DISTRICT JUDGE
JUDGE JAMES WARE

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ATTESTATION PURSUANT TO GENERAL ORDER NO. 45

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/ Thomas M. O'Leary
THOMAS M. O'LEARY