

1 I. NEEL CHATTERJEE (STATE BAR NO. 173985)
 nchatterjee@orrick.com
 2 JULIO C. AVALOS (STATE BAR NO. 255350)
 javalos@orrick.com
 3 ORRICK, HERRINGTON & SUTCLIFFE LLP
 1000 Marsh Road
 4 Menlo Park, CA 94025
 Telephone: +1-650-614-7400
 5 Facsimile: +1-650-614-7401

6 JESSICA S. PERS (STATE BAR NO. 077740)
 jpers@orrick.com
 7 ORRICK, HERRINGTON & SUTCLIFFE LLP
 The Orrick Building
 8 405 Howard Street
 San Francisco, CA 94105-2669
 9 Telephone: +1-415-773-5700
 Facsimile: +1-415-773-5759

10 THOMAS J. GRAY (STATE BAR NO. 191411)
 tgray@orrick.com
 11 ORRICK, HERRINGTON & SUTCLIFFE LLP
 4 Park Plaza
 12 Suite 1600
 Irvine, CA 92614-2558
 13 Telephone: +1-949-567-6700
 14 Facsimile: 949-567 6710

15 Attorneys for Plaintiff
 FACEBOOK, INC.

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN JOSE DIVISION

21 FACEBOOK, INC.,
 22 Plaintiff,
 23 v.
 24 POWER VENTURES, INC. a Cayman Island
 Corporation; STEVEN VACHANI, an
 25 individual; DOE 1, d/b/a POWER.COM,
 26 DOES 2-25, inclusive,
 27 Defendants.

Case No. 5:08-cv-05780 JF
 Assigned To: Hon. Jeremy Fogel
**STIPULATION AND [PROPOSED]
 ORDER TO EXTEND TIME**
 Amended Complaint Filed: January 13,
 2008

1 This stipulation is entered into by and by and between Facebook, Inc. and Defendants
2 Power Ventures, Inc. and Steven Vachani (“Defendants”) through their respective counsel as
3 follows:

4 WHEREAS, on July 9, 2009 Defendants filed their Answer to Facebook's Complaint and
5 asserted counterclaims against Facebook,

6 WHEREAS the Early Neutral Evaluation Conference between the parties is currently
7 scheduled for July 30, 2009,

8 WHEREAS, on July 23, 2009, Facebook filed a Request to Substitute Counsel, requesting
9 that the Court grant its request to change counsel from Perkins Coie LLP to Orrick, Herrington &
10 Sutcliffe LLP,

11 WHEREAS, the parties agree that it is in their best interests as well as in the interests of
12 the Court, its resources, and the interests of justice to allow Facebook's new counsel a reasonable
13 continuance to come up to speed on this matter,

14 NOW THEREFORE, subject to the approval of the Court, it is hereby stipulated and
15 agreed that Facebook's deadline to file its responses to Defendants' counterclaims is hereby
16 extended for thirty (30) days, from August 3, 2009 to September 2, 2009. The parties further
17 stipulate that the Early Neutral Evaluation Conference be temporarily taken off-calendar. The
18 parties agree to work in good faith to arrange a new date in September 2009 that is acceptable to
19 both them and the Evaluator.
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: July 23, 2009

ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/ Thomas J. Gray

THOMAS J. GRAY
Attorneys for Plaintiff
FACEBOOK, INC.

Dated: July 23, 2009

LAW OFFICES OF SCOTT A. BURSOR

/s/ Scott A. Bursor

SCOTT A. BURSOR
Attorneys for Defendants
POWER VENTURES, INC. and STEVEN
VACHANI

Filer's Attestation: Pursuant to General Order No. 45, §X(B), I attest under penalty of perjury that concurrence in the filing of the document has been obtained from its signatory.

Dated: July 23, 2009

Respectfully submitted,

/s/ Thomas J. Gray

THOMAS J. GRAY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[PROPOSED] ORDER

Pursuant to the parties' stipulation, Facebook's deadline to respond to Defendants' counter-claims is extended thirty (30) days to September 2, 2009 and the Early Neutral Evaluation conference is hereby taken off-calendar. The parties shall exercise good faith and reasonable efforts to reschedule the conference for such a date as is convenient for them and the evaluator.

IT IS SO ORDERED.

DATED: July 24, 2009



Hon. Jeremy Fogel
UNITED STATES DISTRICT COURT JUDGE