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 6 INTERNATIONAL BUSINESS
 7 MACHINES CORP.

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

13 Gregory Bender,
 14 Plaintiff,
 15 v.
 16 International Business Machines Corporation,
 17 Defendant.

Case No. C 09-01249 RMW(RS)

**STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING DEADLINE
 FOR IBM TO FILE ITS DISCOVERY
 MOTION RELATED TO BENDER'S
 AMENDED INFRINGEMENT
 CONTENTIONS**

19 Plaintiff Gregory Bender ("Plaintiff") and Defendant International Business Machines
 20 Corporation ("Defendant"), through their respective counsel, hereby make the following
 21 stipulation with regards to Defendant's discovery motion related to Plaintiff's amended
 22 infringement contentions.

23 Due to the parties' and counsels' limited availability due to the upcoming holidays, the
 24 parties have agreed, and hereby request that the deadline for Defendant to file its discovery
 25 motion pursuant to the Court's Order of November 13, 2009 (D.I. 37) be extended until
 26 Wednesday, January 13, 2010. The parties further stipulate that the Court's order granting
 27 Defendant temporary relief from its discovery obligations shall remain in place until the dispute is
 28 resolved.

STIPULATION EXTENDING FILING DEADLINE FOR
 DEFENDANT'S DISCOVERY MOTION
 CASE NO. C 09-01249 RMW(RS)

