

1 Leigh A. Kirmssé (SBN 161929)
 HOWREY LLP
 2 525 Market St., Suite 3600
 San Francisco, CA 94105-2708
 3 Telephone : (415) 848-4993
 4 Facsimile : (415) 848-4999
 Email: kirmssel@howrey.com

5 Aaron Myers (SBN 200145)
 6 HOWREY LLP
 7 1299 Pennsylvania Avenue, N.W.
 Washington, DC 20004
 8 Telephone: (202) 383-7011
 Facsimile: (202) 383-6610
 9 Email: myersa@howrey.com

E-FILED - 12/10/09

10 Attorneys for Sun Microsystems, Inc.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13
 14 SAN JOSE DIVISION

15 SUN MICROSYSTEMS, INC.,
 16 Plaintiff,
 17 vs.
 18 GREENBYTES, INC.,
 19 Defendant.
 20

) Case No. CV09-2745 RMW (RS)

) **JOINT CASE MANAGEMENT STATEMENT**
) **AND REQUEST TO CONTINUE CASE**
) **MANAGEMENT CONFERENCE;**
) **ORDER**

21
 22 The parties engaged in mediation on November 5, 2009, and reached an agreement to settle this
 23 case on November 6, 2009. A written settlement agreement, trademark assignment and dismissal
 24 papers have been prepared but have not yet been finalized. The parties jointly request that the Court
 25 continue for thirty days the case management conference presently set for December 11, 2009.

26 DATED: December 4, 2009

/s/ Jeffrey K. Techentin
 ADLER POLLOCK & SHEEHAN, P.C.
 Attorneys for Defendant

1 DATED: December 4, 2009

/s/ Leigh A. Kirmssé
HOWREY LLP
Attorneys for Plaintiff

4] ORDER

5 The case management conference is continued to January 8, 2009.

6 IT IS SO ORDERED.

7
8 DATED: 12/10/09

Ronald M. Whyte

The Honorable Ronald M. Whyte
United States District Judge

10 *Parties are advised that if the settlement is final, a dismissal must be filed with the Court by
11 January 4, 2010.