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 12 OPENWAVE SYSTEMS, INC. and Plaintiff
 OPENWAVE SYSTEMS (ROI) LTD.

Attorneys for Defendants and
 Counterclaimants 724 SOLUTIONS (US)
 INC. and 724 SOLUTIONS SOFTWARE
 INC.

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

17 OPENWAVE SYSTEMS, INC.,
 18 a Delaware corporation, and
 OPENWAVE SYSTEMS (ROI) LTD., its
 19 Republic of Ireland subsidiary,

Case No. 09-CV-03511 (RS, HRL)

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER CONTINUING HEARING**

20 Plaintiffs,

21 v.

22 724 SOLUTIONS (US) INC., a Delaware
 23 corporation, and 724 SOLUTIONS
 SOFTWARE INC., a Delaware
 24 corporation,

25 Defendants.

26 AND RELATED COUNTERCLAIMS

1 Plaintiff and counterdefendant Openwave Systems, Inc. and plaintiff Openwave Systems
2 (ROI) Ltd. (“Openwave”), by and through their undersigned counsel, and defendants and
3 counterclaimants 724 Solutions (US) Inc. and 724 Solutions Software Inc. (together, “724
4 Solutions”), by and through their undersigned counsel, hereby stipulate as follows:

5 WHEREAS, on February 3, 2010, Openwave filed a Motion to Compel (Dkt. No. 74)
6 seeking an order compelling 724 Solutions to produce documents and information pursuant to
7 Rule 37(a) of the Federal Rules of Civil Procedure (the “Motion”);

8 WHEREAS, on February 10, 2010 the Court issued an Interim Order RE: Plaintiff’s
9 Motion to Compel (Dkt. No. 87) (the “Interim Order”);

10 WHEREAS the Interim Order ordered the parties to meet and confer concerning the issues
11 Openwave raised in its Motion and continued the hearing on Openwave’s Motion to April 6,
12 2010;

13 WHEREAS the Interim Order permits Openwave to file a supplemental brief advising the
14 Court of the parties’ efforts and whether any of the issues in its motion are resolved by March 9,
15 2010, 724 Solutions to file an opposition or statement of non-opposition by March 16, 2010, and
16 Openwave to file a reply by March 23, 2010;

17 WHEREAS the parties have met and conferred multiple times since the Court issued its
18 Interim Order but have not yet resolved the issues raised in the pending Motion;

19 WHEREAS on March 5, 2010, 724 Solutions represented that it intended to produce
20 certain information and documents responsive to the discovery requests that are the subject of the
21 pending motion;

22 WHEREAS, the parties believe that good cause exists for a short continuance of the April
23 6, 2010 hearing so that Openwave may evaluate the materials it expects to receive from 724
24 Solutions before responding to the Court’s Interim Order;

25 THE PARTIES HEREBY STIPULATE, by and through their respective counsel, and
26 respectfully request that the Court continue the April 6, 2010 hearing to April 20, 2010 at 10:00
27 a.m. in Courtroom 2, 5th Floor, of the San Jose Courthouse. Openwave may file a supplemental
28 brief in support of its Motion no later than March 23, 2010. 724 Solutions shall file any an

1 opposition or statement of non-opposition no later than March 30, 2010. Openwave shall file a
2 reply no later than April 6, 2010.

3 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

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5 Dated: March 8, 2010

MORGAN, LEWIS & BOCKIUS LLP

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By /s/ Brett M. Schuman

Brett M. Schuman

Attorneys for Plaintiffs

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9 Dated: March 8, 2010

FISH & RICHARDSON P.C.

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By /s/ Christopher O. Green

Christopher O. Green

Attorneys for Defendants

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~~**PROPOSED**~~ ORDER

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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17 Dated: March 9, 2010

HOWARD LLOYD

UNITED STATES MAGISTRATE JUDGE

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