

1 **** E-filed June 24, 2010 ****

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8 NOT FOR CITATION

9 IN THE UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 SAN JOSE DIVISION

12 OPENWAVE SYSTEMS, INC., a Delaware
corporation, and OPENWAVE SYSTEMS
13 (ROI) LTD., its Republic of Ireland
subsidiary,

14 Plaintiffs,

15 v.

16 724 SOLUTIONS (US) INC., a Delaware
corporation, and 724 SOLUTIONS
SOFTWARE INC., a Delaware corporation,

17 Defendants.

No. C09-03511 RS (HRL)

**ORDER DENYING STIPULATION
SHORTENING TIME TO HEAR
OPENWAVE'S MOTION FOR
PERMISSION TO DISCLOSE
PROTECTED MATERIAL TO
CHETAN SHARMA**

[Re: Docket Nos. 185 & 186]

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19 AND RELATED COUNTERCLAIMS

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21 On April 14, Openwave filed a motion for permission to disclose information designated as

22 Protected Material by 724 Solutions under the Protective Order in the case to Openwave's retained

23 expert witness Chetan Sharma. (Docket No. 162.) The original hearing date on that motion was

24 vacated since 724 Solutions had to retain new counsel. (Docket No. 167.) 724 Solutions did so, and

25 now the parties have stipulated to shorten the time to hear Openwave's motion. (Docket No. 186.)

26 Openwave re-noticed its motion for July 13 per this stipulation. (Docket No. 185.)

27 The stipulation, however, does not set forth facts supporting good cause to shorten the time

28 for hearing. (*See generally, id.*) This Court therefore DENIES the parties' stipulation shortening

1 time to hear Openwave's motion and VACATES the re-noticed hearing date of July 13. Instead, the
2 hearing date and the briefing schedule shall be determined pursuant to Civil Local Rule 7 as normal.
3 Accordingly, Openwave's Motion for Permission to Disclose Protected Material to Chetan Sharma
4 shall be heard on **Tuesday, August 3, 2010 at 10:00 a.m.** in Courtroom 2, at the United States
5 Courthouse, 280 South First Street in San Jose, California. 724 Solutions shall serve and file any
6 opposition to this motion by **July 13, 2010**, and Openwave shall serve and file any reply by **July 20,**
7 **2010.**

8 **IT IS SO ORDERED.**

9 Dated: June 24, 2010

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12 HOWARD R. LLOYD
13 UNITED STATES MAGISTRATE JUDGE
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