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1	WHEREAS, the Scheduling Order (Dkt. No. 27) in this action set the close of discovery on		
2	December 6, 2010;		
3	WHEREAS, due to ongoing settlement discussions between the parties Defendant ITEQ		
4	Corporation ("ITEQ") renoticed the Rule 30(b)(6) deposition of Plaintiff Coatek, Inc. ("Coatek")		
5	- originally noticed for November 19, 2010 - for December 17, 2010;		
6	WHEREAS, pursuant to Civil L.R. 6-2, Defendant has filed a concurrent, supporting		
7	declaration with this Stipulation and Proposed Order;		
8	THEREFORE, THE PARTIES HEREBY STIPULATE AND REQUEST that the Court		
9	ORDER that the close of discovery be continued to December 23, 2010.		
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11	Dated: December 7, 2010	FENWICK & WEST LLP	
12		By: /s/ Michael A. Sands (CSB No. 178788)	
13		ANDREWS KURTH LLP	
14		Thomas R. Kline	
15		Attorneys for ITEQ Corporation	
16		CAMPEAU GOODSELL SMITH	
17		By:/s/	
18		By: /s/ Gregory Charles (CSB No. 208583)	
19		Attorney for Coatek, Inc.	
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22	PURSUANT TO STIPULATION, IT IS SO ORDERED.		
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24	Dated: December <u>10</u> , 2010	The Honorable James Ware	
25		United States District Judge	
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	WAS:165181.2 STIP. & [PROPOSED] ORDER RE CONTINUING CLOSE OF DISCOVERY	-2- C 09-03514 JW (PVT)	

FENWICK & WEST LLP Attorneys At Law San Francisco

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2	ATTORNEY ATTESTATION		
2 3	Pursuant to General Order 45, I hereby attest that that concurrence in the filing of this		
	document has been obtained from the signatory indicated by a "conformed" signature (/s/) within		
4	this e-filed document.		
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6	Dated: December 7, 2010	FENWICK & WEST LLP	
7		By: /s/ Michael A. Sands (CSB No. 178788)	
8		Attorneys for ITEQ Corporation	
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	WAS:165181.2 STIP. & [PROPOSED] ORDER RE CONTINUING CLOSE OF DISCOVERY	-3- C 09-03514 JW (PVT)	

FENWICK & WEST LLP Attorneys At Law San Francisco