

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

TIMOTHY T. SCOTT (SBN 126971/tscott@kslaw.com)
GEOFFREY M. EZGAR (SBN 184243/gezgar@kslaw.com)
LEO SPOONER III (SBN 241541/lspooner@kslaw.com)
KING & SPALDING LLP
333 Twin Dolphin Drive, Suite 400
Redwood Shores, CA 94065
Telephone: (650) 590-0700
Facsimile: (650) 590-1900

SCOTT T. WEINGAERTNER (*pro hac vice*/sweingaertner@kslaw.com)
ROBERT F. PERRY (rperry@kslaw.com)
CHRISTOPHER C. CARNAVAL (*pro hac vice*/ccarnaval@kslaw.com)
MARK H. FRANCIS (*pro hac vice*/mfrancis@kslaw.com)
KING & SPALDING LLP
1185 Avenue of the Americas
New York, NY 10036-4003
Telephone: (212) 556-2100
Facsimile: (212) 556-2222

Attorneys for Defendant, GOOGLE INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

TEXTSCAPE LLC,

Plaintiff,

v.

GOOGLE INC.

Defendant.

Case No. 5:09-cv-04552-JF

Honorable: Judge Jeremy Fogel

**STIPULATION AND [PROPOSED]
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE TO
MARCH 12, 2010**

1 **STIPULATION REGARDING THE CASE MANAGEMENT CONFERENCE**

2 WHEREAS, the Case Management Conference in this action was initially
3 scheduled for February 19, 2010 at 10:30 a.m. before Judge Jeremy Fogel pursuant to
4 the *Clerk's Notice* entered on January 12, 2010 (Dkt. 18).

5 WHEREAS, the Case Management Conference was continued to February 26,
6 2010 at 10:30 a.m. before Judge Jeremy Fogel pursuant to the *Clerk's Notice* entered on
7 February 17, 2010 (Dkt. 38).

8 WHEREAS, scheduling conflicts would make it difficult for the lead counsel of
9 Defendant Google Inc. to attend a Case Management Conference on February 26, 2010,
10 or a week later, on March 5, 2010.

11 WHEREAS, the Court's clerk has informed counsel for Defendant Google Inc.
12 that the Case Management Conference could be rescheduled for March 12, 2010
13 pursuant to a Stipulation entered by the Parties.

14 NOW THEREFORE, Plaintiff Textscape LLC and Defendant Google Inc. ("the
15 Parties") hereby stipulate that the Case Management Conference shall take place on
16 March 12, 2010 at 10:30 a.m. before Judge Jeremy Fogel in courtroom 3 on the 5th
17 floor of the U.S. District Court, 280 S. First St., San Jose, California, or as otherwise
18 directed by the Court.

19 The parties have also agreed to amend the *Joint Case Management Conference*
20 *Statement* filed on February 12, 2010 (Dkt. 36) and adjust the proposed case deadlines
21 in view of the postponed Case Management Conference. An *Amended Joint Case*
22 *Management Conference Statement* shall be filed forthwith.

1 Dated: February 19, 2010

Respectfully submitted,

2 /s/ Geoffrey M. Ezgar
3 TIMOTHY T. SCOTT (SBN 126971)
4 tscott@kslaw.com
5 GEOFFREY M. EZGAR (SBN 184243)
6 gezgar@kslaw.com
7 LEO SPOONER III (SBN 241541)
8 lspooneer@kslaw.com
9 KING & SPALDING LLP
10 333 Twin Dolphin Drive, Suite 400
11 Redwood Shores, CA 94065
12 Telephone: (650) 590-0700
13 Facsimile: (650) 590-1900

SCOTT T. WEINGAERTNER (*pro hac vice*)
sweingaertner@kslaw.com
ROBERT F. PERRY
rperry@kslaw.com
CHRISTOPHER C. CARNAVAL (*pro hac vice*)
ccarnaval@kslaw.com
MARK H. FRANCIS (*pro hac vice*)
mfrancis@kslaw.com
KING & SPALDING LLP
1185 Avenue of the Americas
New York, NY 10036-4003
Telephone: (212) 556-2100
Facsimile: (212) 556-2222

16 ATTORNEYS FOR DEFENDANT
17 GOOGLE INC.

18 /s/ Edward W. Goldstein
19 Edward W. Goldstein
20 Corby R. Vowell
21 GOLDSTEIN, FAUCETT & PREBEG, L.L.P.
22 1177 West Loop South, Suite 400
23 Houston, Texas 77027
24 Telephone: (713) 877-1515
25 Facimile: (713) 877-1145
26 E-mail: egoldstein@gfpiplaw.com
27 cvowell@gfpiplaw.com

28 ATTORNEYS FOR PLAINTIFF
TEXTSCAPE LLC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTESTATION OF SIGNATURE

Pursuant to General Order No. 45, Section X(B) regarding signatures, the filing attorney, Geoffrey M. Ezgar, hereby attests under penalty of perjury that concurrence in the filing of this document has been obtained from the other signatory.

DATED: February 19, 2010

KING & SPALDING LLP

By: /s/ Geoffrey Ezgar
Geoffrey Ezgar (SBN 184243)
Attorneys for Defendant
GOOGLE INC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[PROPOSED] ORDER

Pursuant to stipulation, IT IS ORDERED that the Case Management Conference shall take place on March 12, 2010 at 10:30 a.m.

Dated: February ____, 2010

Honorable Jeremy Fogel
United States District Court

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on February 19, 2010. Any other counsel of record will be served by first class U.S. mail.

DATED: February 19, 2010

KING & SPALDING LLP

By: /s/ Geoffrey Ezgar
Geoffrey Ezgar (SBN 184243)
Attorneys for Defendant
GOOGLE INC.