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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 EXTENDING TIME FOR
PARTIES TO PRIVATELY MEDIATE**

1 **STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR**
2 **PARTIES TO PRIVATELY MEDIATE**

3 WHEREAS, on February 17, 2010 Defendant Google Inc. (hereinafter “Defendant” or
4 “Google”) and Plaintiff Textscape LLC (hereinafter “Plaintiff” or “Textscape”) selected private
5 mediation before Eugene Lynch of the Judicial Arbitration and Mediation Services (“JAMS”) as
6 the parties’ form of alternative dispute resolution.

7 WHEREAS, that selection was entered as an order by this court on February 22, 2010,
8 and filed on March 4, 2010.

9 WHEREAS, the parties have met and conferred, and based on the current state of case
10 development, neither party believes that private mediation at this time would be fruitful.

11 NOW THEREFORE, the parties hereby stipulate to request an order from the Court to
12 extend the mandatory mediation date from May 24, 2010 to July 23, 2010.

13 This extension will not affect the other dates currently scheduled by the Court.
14

15 Dated: April 22, 2010

Respectfully submitted,
16 /s/ Geoffrey M. Ezgar
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25 ATTORNEYS FOR DEFENDANT
GOOGLE INC.
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/s/ Edward W. Goldstein
Edward W. Goldstein
Corby R. Vowell

ATTORNEYS FOR PLAINTIFF
TEXTSCAPE LLC

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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: April 23, 2010

KING & SPALDING LLP

By: /s/ Geoffrey Ezgar
Geoffrey Ezgar (SBN 184243)

ATTORNEYS FOR DEFENDANT
GOOGLE INC.

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[PROPOSED] ORDER

Pursuant to stipulation, IT IS ORDERED that the date by which the parties must complete their selected form of alternative dispute resolution, private mediation before Eugene Lynch of the Judicial Arbitration and Mediation Services, shall be extended to July 23, 2010.

Dated: April ____, 2010

Honorable Jeremy Fogel
United States District Court