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11 Attorneys for TEXTSCAPE LLC

12
 13 **IN THE UNITED STATES DISTRICT COURT**
FOR THE NORTHERN DISTRICT OF CALIFORNIA

| | | |
|----|--|---------------------------------------|
| 15 | TEXTSCAPE LLC, a New Jersey Corporation |) Case No.:C-09-04552 HRL |
| 16 | Plaintiff |) |
| 17 | v. |) MOTION FOR ENLARGEMENT OF |
| 18 | GOOGLE INC., a California Corporation |) TIME PURSUANT TO CIVIL LOCAL |
| 19 | Defendant |) RULES 6-3 AND 16-2(D) BY |
| 20 | |) PLANTIFF TEXTSCAPE LLC AND |
| | |) DECLARATION OF MICHAEL E. |
| | |) DERGOSITS IN SUPPORT |

21 **MOTION FOR ENLARGEMENT OF TIME**

22 In accordance with the September 25, 2009 Order Setting Initial Case Management
 23 Conference and ADR Deadlines, the last day to meet and confer, and to file either a Stipulation
 24 to ADR Process or Notice of Need for ADR Phone Conference is December 22, 2009. The
 25 deadline to file a Rule 26(f) Report, to complete initial disclosures, and to file a Case
 26 Management Statement is January 5, 2010. The Initial Case Management Conference is
 27 currently scheduled for January 12, 2010 at 1:30 p.m.

1 In accordance with Civil Local Rules 6-3 and 16-2(d), Textscape LLC (“Plaintiff”)
2 hereby moves to extend these deadlines as follows:

| | | |
|----|---|---|
| 3 | Deadline to meet and confer re: initial disclosures, early | January 12, 2010 |
| 4 | settlement, ADR process selection, and discovery plan | |
| 5 | Deadline to file either a Stipulation to ADR Process or Notice of | January 12, 2010 |
| 6 | Need for ADR Phone Conference | |
| 7 | Deadline to file Rule 26(f) Report, complete initial disclosures or | January 26, 2010 |
| 8 | state objection in Rule 26(f) Report and file Case Management | |
| 9 | Statement | |
| 10 | Initial Case Management Conference (CMC) | February 2, 2010 1:30 p.m. Courtroom 2, 5 th Floor |

11 **DECLARATION OF MICHAEL E. DERGOSITS IN SUPPORT**

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13 I, Michael E. Dergosits, declare under penalty of perjury that the following is true and correct:

14 1. I am a partner in the law firm of Dergosits & Noah LLP, appearing for Textscape LLC
15 (“Plaintiff”).

16 2. On September 25, 2009, Plaintiff filed its Complaint in the above-captioned matter.

17 3. On September 25, 2009, this Court issued its Order Setting Initial Case Management
18 Conference [Docket Index (“D.I.”) No. 3]. In the September 25, 2009 Order, the Court set the
19 deadline to meet and confer, and to file either a Stipulation to ADR Process or Notice of Need
20 for ADR Phone Conference as December 22, 2009. The Court also set January 5, 2010 as the
21 deadline to file a Rule 26(f) Report, to complete initial disclosures, and to file a Case
22 Management Statement. The Court scheduled the Initial Case Management Conference for
23 January 12, 2010.

24 4. Defendant Google Inc. (“Defendant”) was served with the Summons and Complaint on
25 December 15, 2009, so no counsel has yet appeared for Defendant in this action.

26 5. Since Defendant was only served with the Summons and Complaint on December 15,
27 2009, and Defendant’s counsel has not yet made an appearance, both Plaintiff and Defendant
28 will require additional time to discuss (i) the issues raised by Rule 26, (ii) whether ADR

