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\*\*E-Filed 1/6/2010\*\*

6 Attorneys for Defendants  
WIRELESS TOYZ, INC., JSB ENTERPRISES, INC.,  
7 WIRELESS TOYZ FRANCHISE, LLC, JOE  
BARBAT, DAVID D. EBNER, NEAL YANOFSKY,  
8 RICHARD SIMTOB, and JACK BARBAT

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12 TOYZ, INC., a California Limited Liability  
13 Company, ANTELOPE TOYZ, LLC, a  
California Limited Liability Company,  
14 WIRELESS, LLC, a California Limited  
Liability Company; DEM ASSOCIATES,  
15 INC., a California corporation; TOYZ  
RANCHO CORDOVA, LLC, a California  
16 Limited Liability Company; and ENYART  
INNOVATIONS, LLC, a California  
17 Limited Liability Company;

18 Plaintiffs,

19 v.

20 WIRELESS TOYZ, INC., a Delaware  
corporation; JSB ENTERPRISES, INC., a  
21 Michigan corporation; WIRELESS TOYZ  
FRANCHISE, LLC, a Michigan Limited  
22 Liability Company; JOE BARBAT, an  
individual; DAVID D. EBNER, an  
23 individual; NEAL YANOFSKY, an  
individual; RICHARD SIMTOB, an  
24 individual; JACK BARBAT, an individual;  
and DOES 1 through 100, inclusive;

25 Defendants.  
26  
27

Case No. C09 05091 JF

The Hon. Jeremy D. Fogel

Date: January 14 and 15, 2010  
Time: 9:00 a.m.  
Dept: 3

**{PROPOSED} ORDER FOR JOINT  
STIPULATION TO CONTINUE THE E-  
FILING DEADLINE OF PARTIES'  
RESPECTIVE REPLY BRIEFS**

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**IT IS HEREBY ORDERED** that the date for each party to e-file its respective reply brief is continued from December 31, 2009 to January 6, 2010.

Dated: January 4, 2010

HON JEREMY D. FOGEL

  
\_\_\_\_\_  
United States District Court Judge

1 **PROOF OF SERVICE**

2 I am employed in the County of Los Angeles, State of California. I am over the age of 18  
3 and not a party to the within action. My business address is at BUCHALTER NEMER, A  
4 Professional Corporation, 1000 Wilshire Boulevard, Suite 1500, Los Angeles, California 90017-  
2457.

5 On the date set forth below, I served the foregoing document described as:

6 **[PROPOSED] ORDER RE JOINT STIPULATION TO CONTINUE THE E-  
FILING DEADLINE OF PARTIES' RESPECTIVE REPLY BRIEFS**

7 on all other parties and/or their attorney(s) of record to this action by \_\_\_\_\_ faxing  
8 and/or\_x\_\_\_ placing a true copy thereof in a sealed envelope as follows:

9 John C. Gorman, Esq.  
10 Charles J. Stiegler, Esq.  
11 GORMAN & MILLER, P.C.  
12 210 North Fourth Street, Suite 200  
13 San Jose, CA 95112  
14 Telephone: (408) 297-2222  
15 Facsimile: (408) 297 - 2224  
16 jgorman@gormanmiller.com, asun@gormanmiller.com  
17 **Attorneys for Plaintiffs, TOYZ, LLC et al.**

18  **BY EMAIL.** On December 29, 2009, I caused the above-referenced document(s) to be  
19 sent in electronic PDF format as an attachment to an email addressed to the person(s) on whom  
20 such document(s) is/are to be served at the email address(es) shown above, as last given by that  
21 person(s) or as obtained from an internet website(s) relating to such person(s), and I did not  
22 receive an email response upon sending such email indicating that such email was not delivered.

23  I declare under penalty of perjury under the laws of the State of California that the  
24 foregoing is true and correct to the best of my knowledge. Executed on December 29, 2009, at  
25 Los Angeles, California.

26  I declare that I am employed in the office of a member of the bar of this court at whose  
27 direction the service was made. Executed on December 29, 2009, at Los Angeles, California.

28 \_\_\_\_\_  
GILLIAN W. SAMPLES

\_\_\_\_\_  
/s/ Gillian W. Samples

(Signature)