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*Attorneys for Defendant Barnesandnoble.com LLC*

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN JOSE DIVISION

14 Spring Design Inc.,  
 15 Plaintiff,  
 16 vs.  
 17 Barnesandnoble.com LLC,  
 18 Defendant.  
 19

CASE NO. 5:09-cv-05185-JW

**STIPULATION AND PROPOSED  
 ORDER TO EXCEED PAGE LIMIT ON  
 DEFENDANT'S OPPOSITION TO  
 PLAINTIFF SPRING DESIGN INC.'S  
 MOTION FOR A PRELIMINARY  
 INJUNCTION AND PLAINTIFF'S REPLY  
 IN SUPPORT OF ITS MOTION FOR A  
 PRELIMINARY INJUNCTION**

Trial Date: None set

1 **STIPULATION**

2 WHEREAS, plaintiff Spring Design Inc. (“Spring”) filed a complaint against defendant  
3 Barnesandnoble.com LLC (“B&N”) on November 2, 2009 and a first amended complaint on  
4 November 11, 2009;

5 WHEREAS, Spring filed a motion for a preliminary injunction against B&N on  
6 November 11, 2009, along with a motion to shorten time and an administrative motion to exceed  
7 page limits on its preliminary injunction motion;

8 WHEREAS, on November 13, 2009, the Court granted Spring’s Administrative Motion  
9 for Leave To Exceed Page Limit for Its Motion for a Preliminary Injunction, allowing Spring’s  
10 preliminary injunction motion to increase in length from twenty-five (25) to thirty (30) pages;

11 WHEREAS, pursuant to the Court’s November 13, 2009 Order granting, as modified,  
12 Spring’s Motion To Shorten Time, B&N’s opposition to Spring’s preliminary injunction motion  
13 is due on November 20, 2009, and Spring’s reply in support of its preliminary injunction motion  
14 is due on November 23, 2009;

15 WHEREAS, Civil Local Rule 7-4(b) sets forth a limit of twenty-five (25) pages for  
16 B&N’s opposition brief and fifteen (15) pages for Spring’s reply brief;

17 WHEREAS, the parties agree that B&N should be permitted to file an opposition brief  
18 that does not exceed thirty (30) pages; and Spring should be permitted to file a reply brief that  
19 does not exceed eighteen (18) pages.

20 NOW, WHEREFORE, pursuant to Civil Local Rule 7-11, B&N and Spring stipulate as  
21 follows:

22 B&N may exceed the 25-page limit by five (5) pages, thus changing the maximum length  
23 of its opposition to Spring’s motion for a preliminary injunction to thirty (30) pages exclusive of  
24 exhibits, attachments, declarations, table of contents, table of authorities, and proof of service.

25 Spring may exceed the 15-page limit by three (3) pages, thus changing the maximum length of  
26 its reply in support of its motion for a preliminary injunction to eighteen (18) pages exclusive of  
27  
28

1 exhibits, attachments, declarations, table of contents, table of authorities, and proof of service.

2

3 IT IS SO AGREED AND STIPULATED.

4

5 DATED: November 19, 2009

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

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By /s/ Melissa J. Baily

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Melissa J. Baily  
Attorneys for Defendant Barnesandnoble.com LLC

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10 DATED: November 19, 2009

FENWICK & WEST LLP

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12

By /s/ David Hadden

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J. David Hadden  
Attorneys for Plaintiff Spring Design Inc.

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**ATTESTATION PURSUANT TO GENERAL ORDER 45**

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Pursuant to General Order No. 45, § X(B), regarding signatures, I attest under penalty of  
18 perjury that the concurrence in the filing of this document has been obtained from its signatories.

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20 Dated: November 19, 2009

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By: /s/ Melissa J. Baily  
Melissa J. Baily

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1 ~~PROPOSED~~ ORDER

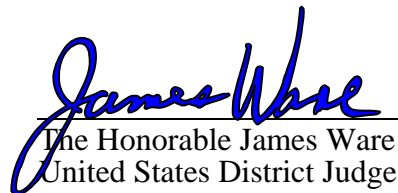
2 Based on the foregoing stipulation of the parties, it is hereby ordered that:

3 The page limit for Defendant Barnesandnoble.com LLC's opposition to Plaintiff's Motion  
4 for a Preliminary Injunction, due November 20, 2009, shall be thirty (30) pages. The page limit  
5 for Plaintiff Spring Design, Inc.'s reply, due November 23, 2009, shall be eighteen (18) pages.

6 PURSUANT TO STIPULATION, IT IS SO ORDERED.

7 This Order terminates Defendant's Motion to Extend Page Limits (Docket Item No. 33).

8 DATED: November 20, 2009

9  
10   
11 The Honorable James Ware  
United States District Judge