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Attorneys for Defendants
 THE ESTEE LAUDER COMPANIES INC.
 and CLINIQUE LABORATORIES, LLC

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

19 RODAN & FIELDS, LLC, a California
 20 corporation,
 21 Plaintiff,
 22 v.
 23 THE ESTEE LAUDER COMPANIES INC., a
 24 Delaware corporation, and CLINIQUE
 LABORATORIES, LLC, a Delaware limited
 liability company,
 25 Defendants.

Case No. 5:10-CV-02451-LHK (PVT)

**STIPULATION AND ~~PROPOSED~~
 ORDER MODIFYING BRIEFING
 SCHEDULE FOR MOTION FOR
 PRELIMINARY INJUNCTION**

1 **STIPULATION**

2 Plaintiff Rodan & Fields, LLC (“Rodan & Fields”) and Defendants Clinique Laboratories,
3 LLC and The Estee Lauder Companies, Inc. (“Defendants”), through their respective attorneys of
4 record, submit this stipulation and proposed order pursuant to Northern District Local Rule 62.

5 WHEREAS, Rodan & Fields filed a motion for preliminary injunction on June 8, 2010,
6 and set it for hearing before the Honorable Sandra B. Armstrong on September 21, 2010, the
7 first available date on the Court’s calendar;

8 WHEREAS, on June 15, 2010, Rodan & Fields filed an Ex Parte Application for an
9 Earlier Hearing Date;

10 WHEREAS, on August 2, 2010, this case was reassigned from the Honorable Sandra B.
11 Armstrong to the Honorable Lucy H. Koh;

12 WHEREAS, the Court issued a Clerk’s Notice directing Rodan & Fields to re-notice the
13 hearing on its motion for preliminary injunction for September 7, 2010;

14 WHEREAS, counsel for Defendants had a schedule conflict on September 7, 2010, and
15 requested that the hearing be noticed on October 7, 2010, the next available hearing date;

16 WHEREAS, counsel for Rodan & Fields had a schedule conflict affecting the briefing of
17 Rodan & Fields’ reply papers for an October 7, 2010 hearing date and requested that Defendants
18 file their opposition papers two weeks earlier than they would otherwise have been due for said
19 hearing date;

20 WHEREAS, the parties have agreed to set the matter for hearing on October 7, 2010 and
21 to modify the briefing schedule as follows: Defendants shall file their opposition papers by
22 September 3, 2010, and Rodan & Fields shall file its reply papers by September 23, 2010, two
23 weeks prior to the October 7, 2010 hearing date;

24 WHEREAS, the modified briefing schedule will have no effect on the schedule for the
25 case; and

26 WHEREAS, the previous time modifications in this case include the following: On
27 June 23, 2010, the parties stipulated to provide Defendants with an additional 28 days within
28 which to respond to Rodan & Fields’ Complaint.

1 IT IS HEREBY STIPULATED that Defendants shall file their opposition papers by
2 September 3, 2010 and Rodan & Fields shall file its reply papers by September 23, 2010.

3 Dated: August 19, 2010

CEDRIC C. CHAO
JENNIFER LEE TAYLOR
PATRICIA SVILIK
MORRISON & FOERSTER LLP

6 By: /s/ Cedric C. Chao
Cedric C. Chao

7 Attorneys for Plaintiff
8 RODAN & FIELDS, LLC

9 Dated: August 19, 2010

D. PETER HARVEY
SETH I. APPEL
HARVEY SISKIND LLP

11 By: /s/ D. Peter Harvey
D. Peter Harvey

12 Attorneys for Defendants
13 THE ESTEE LAUDER COMPANIES INC.
14 and CLINIQUE LABORATORIES, LLC

15 I, Cedric C. Chao, am the ECF User whose ID and Password are being used to file this
16 Stipulation And [Proposed] Order Modifying Briefing Schedule For Motion For Preliminary
17 Injunction. In compliance with General Order 45.X.B., I hereby attest that D. Peter Harvey has
18 concurred in this filing.

19 Dated: August 19, 2010

CEDRIC C. CHAO
MORRISON & FOERSTER LLP

21 By: /s/ Cedric C. Chao
Cedric C. Chao

22 Attorneys for Plaintiff
23 RODAN & FIELDS, LLC

24 ~~PROPOSED~~ ORDER

25 SO ORDERED.

26
27 Dated: August 20, 2010


28 HONORABLE LUCY H. KOH