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 20 and Counterclaimant  
 21 QUALITY GOLD, INC.

22 **UNITED STATES DISTRICT COURT**  
 23 **NORTHERN DISTRICT OF CALIFORNIA**  
 24 **SAN JOSE DIVISION**

25 TRENT WEST,  
 26 Plaintiff,

27 v.

28 QUALITY GOLD, INC.,  
 Defendant.

Case Nos. 5:10-cv-03124-EJD  
 5:11-cv-02531-EJD

**STIPULATION AND [PROPOSED]  
 ORDER TO RESCHEDULE THE CASE  
 MANAGEMENT CONFERENCES AND  
 HEARINGS ON PENDING MOTIONS**

AND RELATED CLAIMS

1 All parties in the above captioned cases, by and through their respective counsel, hereby  
2 stipulate and request that the Court amend the schedule as follows:

- 3 1. The Case Management Conferences in both cases are currently scheduled for March  
4 9, 2012, as are the hearings on the pending Motion to Dismiss filed by Third-Party  
5 Defendant Glenn A. Miller in Case No. 5:10-cv-03124-EJD (the "Miller Motion")  
6 (Docket #73 in that action), and the pending Motion for Summary Judgment filed by  
7 Third-Party Defendant Jewelry Innovation, Inc. (the "JI Motion") (Docket #83 in that  
8 action). Further, in light of the reassignment of these cases from Hon. Jeremy Fogel,  
9 Quality Gold, Inc. ("Quality Gold") must re-notice its pending Motion to Dismiss in  
10 Case No. 5:11-cv-02531-EJD (the "Quality Gold Motion") (Docket #11 in that  
11 action).
- 12 2. Lead trial counsel for Quality Gold has a matter set for trial in another jurisdiction on  
13 March 9, 2012.

14 To address the scheduling conflict and to promote judicial economy by consolidation of  
15 all applicable conference and hearing dates, the parties stipulate and request that the Court  
16 reschedule the Case Management Conferences, the hearing on the Miller Motion, the hearing on  
17 the JI Motion, and the hearing on the Quality Gold Motion, to March 23, 2012. The parties  
18 further stipulate that this request is made in good faith and not for any purposes of delay.  
19 Counsel for Quality Gold has confirmed with the Court the availability of March 23, 2012  
20 regarding this request.

21 This stipulation will not affect the overall schedule of the cases. In Case No. 5:10-cv-  
22 03124-EJD, Quality Gold and plaintiff Trent West previously stipulated to extend the time for  
23 Defendant and Counterclaimant Quality Gold, Inc. to respond to the Complaint, and later  
24 stipulated to reschedule elements of the claim construction process.

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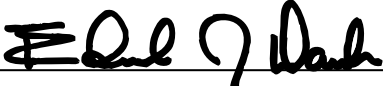
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/s/

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Ian K. Boyd

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Date: December 15, 2012



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The Honorable Edward J. Davila  
United States District Judge