

1 Derek H. Lim, State Bar No. 209496
2 Melissa A. Horst, State Bar No. 253032
3 BURNHAM BROWN
4 A Professional Law Corporation
5 P.O. Box 119
6 Oakland, California 94604

E-Filed 1/4/2011

7 ---
8 1901 Harrison Street, 11th Floor
9 Oakland, California 94612
10 Telephone: (510) 444-6800
11 Facsimile: (510) 835-6666

12 E-Mail: dlim@burnhambrown.com
13 mhorst@burnhambrown.com

14 ---
15 Maralyn M. English, Utah State Bar No. 8468
16 SNOW, CHRISTENSEN & MARTINEAU
17 10 Exchange Place, Eleventh Floor
18 P.O. Box 45000
19 Salt Lake City, Utah 84145-5000

20 ---
21 Telephone: (801) 521-9000
22 Facsimile: (801) 363-0400
23 E-Mail: mme@scmlaw.com
24 [Admitted *Pro Hac Vice*]

25 Attorneys for Defendants ADAM CHILDERS and
26 SOFTWAREMEDIA.COM, INC.

27 UNITED STATES DISTRICT COURT
28 NORTHERN DISTRICT OF CALIFORNIA

ADOBE SYSTEMS INCORPORATED,

Plaintiff,

v.

ADAM CHILDERS, an individual and d/b/a
WWW.SOFTWAREMEDIA.COM;
SOFTWAREMEDIA.COM, INC. and DOES
1 – 10, inclusive,

Defendants.

No. 5:10-cv-03571-JF
ORDER APPROVING

**STIPULATION TO CONTINUE
HEARING DATE ON DEFENDANTS'
MOTION TO DISMISS FOR LACK OF
PERSONAL JURISDICTION,
IMPROPER VENUE AND
INSUFFICIENT PROCESS, OR IN THE
ALTERNATIVE, MOTION TO
TRANSFER VENUE**

Date: January 7, 2011
Time: 9:00 a.m.
Dept: 3
Judge: Hon. Jeremy Fogel

Complaint Filed: August 13, 2010

1 Defendants ADAM CHILDERS and SOFTWAREMEDIA.COM, INC. ("Defendants")
2 and Plaintiff ADOBE SYSTEMS INCORPORATED ("Plaintiff"), by and through their
3 respective counsel of record, hereby stipulate and agree as follows:

4 WHEREAS Defendants filed their Motion to Dismiss for Lack of Personal Jurisdiction,
5 Improper Venue and Insufficient Process, or in the Alternative, Motion to Transfer Venue
6 ("Motion") on or about October 18, 2010;

7 WHEREAS the hearing on Defendants' Motion is currently set for January 7, 2011;

8 WHEREAS a family medical emergency has arisen with regards to Defendant Adam
9 Childers;

10 NOW, THEREFORE, Defendants request and Plaintiff does not oppose a continuance
11 of the hearing on the Motion to February 4, 2011, or such other date that the court deems
12 appropriate.

13 IT IS SO STIPULATED

14 DATED: January 3, 2011

BURNHAM BROWN

15 By 
16

DEREK H. LIM

17 Attorneys for Defendants ADAM CHILDERS
and SOFTWAREMEDIA.COM, INC.

18
19 DATED: January 3, 2011

J. ANDREW COOMBS, A PROFESSIONAL
CORP.

20
21 By 
22

J. Andrew Coombs

Nicole L. Drey

23 Attorneys for Plaintiff ADOBE SYSTEMS
INCORPORATED

24 **[PROPOSED] ORDER**

25 PURSUANT TO STIPULATION, IT IS SO ORDERED.

26
27 DATED: January 4, 2011

28 
Jeremy Fogel

UNITED STATES DISTRICT JUDGE

1049983