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9 ZYNGA GAME NETWORK INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DIGITAL CHOCOLATE, INC., a Delaware
corporation,

Plaintiff,

v.

ZYNGA GAME NETWORK INC., a Delaware
corporation

Defendant.

CASE NO. CV:10-3758 PVT

**SECOND STIPULATION EXTENDING
TIME BY WHICH DEFENDANT ZYNGA
GAME NETWORK INC. MUST RESPOND
TO THE COMPLAINT**

CASE NO. CV:10-3758 PVT
SECOND STIPULATION EXTENDING
TIME TO RESPOND TO THE COMPLAINT

1 Pursuant to Civil Local Rule 6-1(a), Defendant Zynga Game Network Inc. ("Zynga") and
2 Plaintiff Digital Chocolate, Inc. ("Digital Chocolate") (Zynga and Digital Chocolate are collectively
3 referred to herein as the "Parties"), by and through their counsel of record, hereby stipulate as
4 follows:

5 WHEREAS Digital Chocolate filed its Complaint in this matter on or about August 24, 2010;
6 and

7 WHEREAS the Parties previously stipulated that Zynga's deadline to respond to Digital
8 Chocolate's Complaint would be October 11, 2010 (Dkt. No. 8); and

9 WHEREAS the Parties have agreed that an additional extension of the deadline for Zynga to
10 respond to Digital Chocolate's Complaint is in the interest of both Parties, *inter alia* to permit the
11 Parties to convene an early settlement conference; and

12 WHEREAS the Case Management Conference previously set for November 2, 2010 has
13 been vacated per the Clerk's Notice of Impending Reassignment to a United States District Judge
14 (Dkt. No. 9), and the Case Management Conference has yet to be rescheduled; and

15 WHEREAS an additional extension of Zynga's deadline to respond to Digital Chocolate's
16 Complaint will not alter the date of any event or deadline already fixed by Court order.

17 THEREFORE, based on the foregoing recitals, the Parties hereby stipulate and agree to
18 extend the deadline by which Zynga must respond to Digital Chocolate's Complaint in this action
19 until and including November 12, 2010.

20 **IT IS SO STIPULATED**

21 Dated: October 7, 2010

By: 

Dennis L. Wilson
Keats McFarland & Wilson LLP
Attorneys for Defendant
ZYNGA GAME NETWORK INC.

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23
24
25 Dated: October 7, 2010

By: 

Michael G. Rhodes
Mark F. Lambert
Cooley LLP
Attorneys for Plaintiff
DIGITAL CHOCOLATE, INC.