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9 *Attorneys for Defendant/Counterclaimant*
 10 *ENVIRONMENTAL SYSTEMS PRODUCTS, INC.*

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

14 _____)
 INBAC, INC., a partnership,)
 15)
 Plaintiff,)
 16)
 v.)
 17)
 ENVIRONMENTAL SYSTEMS)
 18 PRODUCTS, INC., a corporation,)
 19 Defendant.)
 20 _____)
 21 AND RELATED COUNTERCLAIM)
 22 _____)

Case No. 5:10-CV-04248 JF
**STIPULATED REQUEST TO
 CONTINUE DEADLINES TO FILE
 ADR FORMS AND JOINT CASE
 MANAGEMENT STATEMENT,
 AND TO COMPLETE INITIAL
 DISCLOSURES, AND [PROPOSED]
 ORDER**

1 Pursuant to Civil L.R. 6-1(b), Plaintiff/Counterdefendant InBAC, Inc. and
2 Defendant/Counterclaimant Environmental Systems Products, Inc. (collectively, the "Parties")
3 hereby stipulate to and request a continuance of the deadlines to file the ADR Certification
4 (pursuant to Civil L.R. 16-8(b) and ADR L.R. 3-5(b)) and Stipulation to ADR Process or
5 Notice of Need for ADR Telephone Conference (pursuant to Civil L.R. 16-8(c) and ADR L.R.
6 3-5(c)) (collectively, the "ADR Forms"), and the Joint Case Management Statement (pursuant
7 to Civil L.R. 16-9(a)), and to complete Initial Disclosures (pursuant to Fed. R. Civ. P.
8 26(a)(1)), from January 3, 2011 to January 5, 2011.

9 **RECITALS**

10 1. The Parties have reached a settlement in principle of this action, and are
11 finalizing the terms of a settlement agreement.

12 2. To avoid the burden and expense of preparing and filing or serving potentially
13 unnecessary forms and discovery, and to conserve judicial resources, the Parties have
14 stipulated and agreed to continue the deadline to file the ADR Forms.

15 3. The ADR Forms were originally due December 17, 2010. *See* Docs. 3, 17.

16 4. The ADR Forms were subsequently due December 23, 2010. *See* Doc. 22.

17 5. The ADR Forms are currently due January 3, 2011. *See* Doc. 24.

18 6. The Joint Case Management Statement and Initial Disclosures are currently
19 due January 3, 2011. *See* Docs. 3, 17.

20 7. The Parties have stipulated and agreed and hereby request the Court to
21 continue the deadlines to file the ADR Forms and Joint Case Management Statement, and to
22 complete Initial Disclosures, from January 3, 2011 to January 5, 2011.

23 **STIPULATION**

24 Pursuant to Civil L.R. 6-1(b), the Parties hereby stipulate and agree to a continuance of
25 the deadlines to file the ADR Forms and Joint Case Management Statement, and to complete
26 Initial Disclosures, and request that they be continued to January 5, 2011.

1 Dated: January 3, 2011

Respectfully submitted,

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By: /s/Robert J. Nolan
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*Attorneys for Defendant/Counterclaimant
Environmental Systems Products, Inc.*

Dated: January 3, 2011

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*Attorneys for Plaintiff/Counterdefendant
InBAC, Inc.*

1 ATTESTATION PURSUANT TO GENERAL ORDER 45, § X(B)

2 I attest that I have obtained the concurrence in the filing of this document from each
3 signatory pursuant to General Order 45, § X(B).

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5 By: /s/Robert J. Nolan
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20 *Attorneys for Defendant/Counterclaimant*
21 *Environmental Systems Products, Inc.*

22 ~~PROPOSED~~ ORDER

23 **IT IS HEREBY ORDERED** that pursuant to the above stipulation of the parties the
24 deadlines to file the ADR Certification (pursuant to Civil L.R. 16-8(b) and ADR L.R. 3-5(b))
25 and Notice of Need for ADR Phone Conference (pursuant to Civil L.R. 16-8(c) and ADR L.R.
26 3-5(c)), and the Joint Case Management Statement (pursuant to Civil L.R. 16-9(a)), and to
27 complete Initial Disclosures (pursuant to Fed. R. Civ. P. 26(a)(1)), currently set for January 3,
28 2011 are continued to January 5, 2011.

Dated: 1/4/2011

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HONORABLE J. LYNN FOGEL
UNITED STATES DISTRICT JUDGE