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11 *Attorneys for Finisar Corporation*

12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

16 FINISAR CORPORATION,
 17 Plaintiff,
 18 v.
 19 AGILESTAR.COM, INC. et al.,
 20 Defendants.

Case No. CV 10-04990 JW (HRL)

**ORDER DENYING STIPULATION TO
 CONTINUE CASE MANAGEMENT
 CONFERENCE AND OTHER
 DEADLINES**

[N.D. CAL. CIVIL LR 6-2]

Complaint filed: November 4, 2010

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1 Pursuant to Northern District Local Rule 6-2, plaintiff Finisar Corporation and defendants
 2 Agilestar.com, Inc. and Memorydealers.com, Inc., hereby stipulate through their respective
 3 attorneys, and respectfully request that the Court order, that the case management conference be
 4 continued and the following deadlines be enlarged, as follows:

<u>Event</u>	<u>Current Date</u>	<u>Proposed Date</u>
Case Management Conference	February 14, 2011	March 14, 2011
Deadline to File Joint Case Management Statement	February 4, 2011	March 4, 2011
Deadline to meet and confer regarding initial disclosures, early settlement, ADR process selection, and discovery plan	January 20, 2011	February 24, 2011
Deadline to file ADR Certification and Stipulation to ADR Process	January 20, 2011	February 24, 2011
Deadline to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report	January 20, 2011	February 24, 2011
Deadline for Defendants to Respond to Complaint	January 12, 2011	February 16, 2011

21 This request is being made at the behest of Julie Turner, counsel for defendants, on the
 22 grounds that she will be on a medical leave from January 5, 2011, through the end of January.
 23 The Declaration of Julie S. Turner in support of this stipulation and proposed order is being
 24 submitted herewith.

25 This request is also based on the fact that the parties have been negotiating resolution of
 26 this matter in good faith and are optimistic that this matter may be resolved before the proposed
 27 date for the Case Management Conference.

1 There has been one previous modification of a deadline in this case, to wit the
2 enlargement of time by 30 days for defendants to respond to the operative complaint.

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4 Dated: January 5, 2011

STERLING A. BRENNAN
WORKMAN NYDEGGER P.C.

6 By: /s/ Charles L. Roberts /s/

7 Charles L. Roberts

8 *Attorney for Plaintiff*
9 Finisar Corporation

10 Dated: January 5, 2011

JULIE S. TURNER
TURNER BOYD LLP

12
13 By: /s/ Julie S. Turner /s/

14 Julie S. Turner

15 *Attorney for Defendants*
16 Agilestar.com, Inc. and
17 Memorydealers.com, Inc.

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

19 Upon review, the Court DENIES the parties' Stipulation as premature. Defendants chose a firm
20 with multiple associates, capable of taking the lead to assist the Court with this case early in the
21 litigation. With respect to the parties' scheduled appearance on February 14, 2011 the Court will
22 evaluate whether an appearance is necessary following a review of the parties' Joint Statement, to be
23 filed with the Court on or before **February 4, 2011**.

24 Dated: January 6, 2011

25 
26 _____
27 United States District Judge

CERTIFICATE OF SERVICE

1
2 I hereby certify that on January 5, 2011, I electronically filed the foregoing with the Clerk of
3 the Court using the CM/ECF system, and I hereby certify that I have mailed by United States Postal
4 Service the paper to the following non-ECF participants:

5 Julie S. Turner
6 Turner Boyd LLP
7 2570 W. El Camino Real, Suite 380
8 Mountain View, CA 94040

9 By: /s/ Charles. L. Roberts
10 Sterling A. Brennan
11 *Attorney for Plaintiff*
12 Finisar Corporation
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