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12 Attorneys for Plaintiff and Counter-defendant  
LIVINGSTON HEARING AID CENTER, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

18 LIVINGSTON HEARING AID CENTER,  
INC.,

Plaintiff.

V.

## INSOUND MEDICAL, INC.,

Defendant.

Case No. CV11-01965 EJD

**STIPULATION EXTENDING DEADLINE TO  
COMPLETE MEDIATION AND  
[PROPOSED] ORDER**

#### 24 || AND RELATED COUNTERCLAIM

26 WHEREAS, on October 18, 2011, this Court entered its Order Selecting ADR Process [Dock.  
27 #44], requiring the parties in the above-entitled action to complete private mediation within 90 days  
28 of the date of said Order (by January 17, 2012); and

STIPULATION EXTENDING DEADLINE TO COMPLETE  
MEDIATION AND ~~PROPOSED~~ ORDER  
CV11-01965 EJD

1           WHEREAS, the parties are in the process of undertaking discovery in order to determine the  
2 factual bases for their respective claims; and

3           WHEREAS, the parties believe that an extension of the mediation deadline would be in the  
4 best interest of the parties and a potential resolution of this action, in order to allow the parties to  
5 undertake additional discovery, including exchanging documents and conducting initial depositions  
6 pursuant to Federal Rule of Civil Procedure 30(b)(6), prior to engaging in meaningful mediation,

7           IT IS HEREBY STIPULATED by and between Plaintiff and Counter-defendant Livingston  
8 Hearing Aid Center, Inc. and Defendant and Counterclaimant InSound Medical, Inc., through their  
9 respective counsel, that the deadline to engage in private mediation be extended for a period of 90  
10 days from January 17, up to and including April 18, ~~2011~~ **2012**.

11           IT IS SO STIPULATED.

12           Dated: January 11, 2012.

GREENBERG TRAURIG, LLP

13  
14           By: /s/ William J. Goines  
William J. Goines  
Cindy Hamilton

15           and

16  
17           MICHAEL H. CARPER (Admitted Pro Hac Vice)  
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18  
19           Attorneys for Plaintiff and Counter-defendant  
Livingston Hearing Aid Center, Inc.

20           Dated: January 11, 2012.

RUTAN TUCKER LLP

21  
22           By: /s/ Gerard M. Mooney, Jr.  
Gerard M. Mooney, Jr., Esq.

23           and

24  
25           KIRK CRUTCHER, ESQ.  
MAYFIELD CRUTCHER & SHARPEE  
1001 Main St., Ste. 504  
Lubbock, TX 79401

26  
27           Attorneys for Defendant and Counterclaimant  
InSound Medical, Inc.

## ATTESTATION CLAUSE

I, William J. Goines, am the ECF User whose ID and password are being used to file this STIPULATION EXTENDING DEADLINE TO COMPLETE MEDIATION AND [PROPOSED] ORDER. In compliance with General Order 45, X.B., I hereby attest that Gerard M. Mooney, Jr., has concurred in this filing.

Date: January 11, 2012.

## GREENBERG TRAURIG LLP

By: /s/ William J. Goines

IT IS SO ORDERED.

## [PROPOSED] ORDER

Honorable Edward J. Davila  
Judge, United States Bankruptcy Court