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 8 GUZIK TECHNICAL ENTERPRISES

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN JOSE DIVISION

12 GUZIK TECHNICAL ENTERPRISES, a
 California corporation,
 13
 14 Plaintiff,
 15 vs.
 16 WESTERN DIGITAL CORPORATION, a
 Delaware corporation, WESTERN DIGITAL
 17 TECHNOLOGIES, INC., a Delaware corporation,
 18 WESTERN DIGITAL (FREMONT), LLC, a
 Delaware corporation, WESTERN DIGITAL
 19 (THAILAND) COMPANY LIMITED, a Thailand
 corporation, and WESTERN DIGITAL
 20 (MALAYSIA) Sdn. Bhd., a Malaysia
 corporation, inclusive,
 21
 22 Defendants.

Case No. CV11-03786 PSG

**STIPULATION AND ~~PROPOSED~~
 ORDER TO EXTEND PLAINTIFF'S
 TIME TO RESPOND TO DEFENDANTS'
 COUNTERCLAIMS AND TO CONTINUE
 RELATED DATES**

Magistrate: Hon. Paul S. Grewal
 Ctrm.: 5, 4th Floor

Case Filed: August 1, 2011
 Trial Date: None set.

23
 24 AND RELATED COUNTERCLAIMS
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 26
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28 STIPULATION AND ~~PROPOSED~~ ORDER TO EXTEND TIME FOR
 PLAINTIFF TO RESPOND TO DEFENDANTS' COUNTERCLAIMS
 AND TO CONTINUE RELATED DATES

Case No. C11-03786 PSG

1 Pursuant to Civil Local Rule 6-2, 7-12, and related rules, Plaintiff Guzik Technical
2 Enterprises, Inc. (“GTE” or “Plaintiff”) and Western Digital Corporation, Western Digital
3 Technologies, Inc., Western Digital (Fremont), LLC, Western Digital (Thailand) Company
4 Limited, and Western Digital (Malaysia) Sdn. Bhd. (collectively referred to herein as “Western
5 Digital Defendants”), hereby stipulate through their respective counsel of record as follows:

6 WHEREAS, on August 1, 2011, GTE filed its Complaint against the Western Digital
7 Defendants;

8 WHEREAS, the answer or other response to the Complaint for at least some of the
9 Western Digital Defendants was initially due on or before August 24, 2011;

10 WHEREAS, on August 1, 2011, the Court issued an Order Setting Initial Case
11 Management Conference and ADR Deadlines (ECF No. 8) which, among other provisions, set an
12 Initial Case Management Conference in the above-specified action on October 18, 2011, and
13 specified related deadlines leading up to that conference;

14 WHEREAS, GTE and Western Digital, through their respective counsel of record, agreed
15 to extend the time by which the Western Digital Defendants must answer or otherwise respond to
16 the Complaint, and sought a corresponding continuance of the dates that have already been set by
17 the Court;

18 WHEREAS, the Court ordered, pursuant to the Parties’ stipulation, that The Western
19 Digital Defendants would have until September 26, 2011 to file a response to the complaint and
20 that the Initial Case Management Conference be continued from October 18, 2011 to November
21 15, 2011, in Courtroom 5, 4th Floor, San Jose Courthouse, at 2:00 p.m., and that all other dates
22 would be continued accordingly;

23 WHEREAS on September 26, 2011, certain of the Western Digital Defendants filed
24 Counterclaims against GTE, the answer or other response to which is due on October 17, 2011;

25 WHEREAS GTE’s undersigned counsel hereby declares that the extensions requested
26 herein are necessary to provide GTE with sufficient time to analyze the allegations set forth in the
27 Counterclaims and formulate its response to the Counterclaims, and that continuance of related

1 case management dates would best serve the parties' and the Court's interest in judicial efficiency;
2 and

3 WHEREAS the parties' undersigned counsel hereby declares that the time modifications
4 requested herein would have no material impact on the case schedule because the case is at its
5 initial stage:

6 IT IS HEREBY STIPULATED by and between the parties hereto through their respective
7 attorneys of record that:

- 8 1. GTE shall have until November 16, 2011 to file a response to the Counterclaims;
- 9 2. The Initial Case Management Conference will be continued from November 15,
10 2011 to December 13, 2011, in Courtroom 5, 4th Floor, San Jose Courthouse, at
11 2:00 PM, and all other dates will be continued accordingly.

13 Date: October 6, 2011

BERGESON, LLP

15 _____
16 /s/
Jaideep Venkatesan

17 Attorneys for Plaintiff and Counter-Defendant
18 GUZIK TECHNICAL ENTERPRISES

19 In accordance with General Order No. 45, Rule X, the above signatory attests that
20 concurrence in the filing of this document has been obtained from the signatory below.

22 Date: October 6, 2011

LATHAM & WATKINS LLP

24 _____
25 /s/
Richard G. Frenkel

26 Attorneys for Defendants and Counter-Complainant
27 WESTERN DIGITAL CORPORATION,
28 WESTERN DIGITAL TECHNOLOGIES, INC.,
WESTERN DIGITAL (FREMONT), LLC,
WESTERN DIGITAL (THAILAND) COMPANY

LIMITED, WESTERN DIGITAL (MALAYSIA)
Sdn. Bhd.

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PURUSANT TO STIPULATION, IT IS SO ORDERED.

Dated: ___ October 11 __, 2011



The Honorable Paul S. Grewal
United States District Magistrate
Northern District of California