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13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION
 16

17 GUZIK TECHNICAL ENTERPRISES, INC.

18 Plaintiff and Counterclaim Defendant,

19 v.

20 WESTERN DIGITAL CORPORATION,
 WESTERN DIGITAL TECHNOLOGIES, INC.,
 21 and WESTERN DIGITAL (FREMONT) INC.,

22 Defendants and Counterclaim Plaintiffs, and

23 WESTERN DIGITAL (THAILAND) COMPANY
 LIMITED and WESTERN DIGITAL
 24 (MALAYSIA) SDN.BHD,

25 Defendants.

CASE NO. 5:11-CV-03786-PSG

**STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE HEARING ON
 DEFENDANTS' MOTION TO DISMISS
 PLAINTIFF'S 35 U.S.C. § 271(g)
 CLAIMS UNDER RULE 12(b)(6)**

Date: November 8, 2011 [PROPOSED
 CHANGE TO November 15, 2011]

Time: 10:00 a.m.

Magistrate Judge: Hon. Paul Singh Grewal
 Courtroom: 5, 4th Floor

26 Pursuant to Civil Local Rules 6-2, 7-12, and related rules, Plaintiff Guzik Technical
 27 Enterprises, Inc. ("GTE") and Defendants Western Digital Corporation et al. (collectively,
 28 "Western Digital"), hereby stipulate through their respective counsel of record as follows:

1 WHEREAS, on September 26, 2011, Western Digital filed a motion to dismiss GTE's 35
2 U.S.C. § 271(g) claims under Federal Rule of Civil Procedure 12(b)(6) and proposed a hearing
3 date and time of November 1, 2011, 10:00 a.m. (Dkt. No. 25);

4 WHEREAS, after briefing was completed, the Court issued an Order continuing the
5 hearing on the motion to dismiss to November 8, 2011, 10:00 a.m. (Dkt. No. 36);

6 WHEREAS, certain counsel for Western Digital cannot attend the scheduled hearing due
7 to an unavoidable conflict;

8 WHEREAS, GTE and Western Digital, through their respective counsel of record, have
9 agreed with the Court's permission to continue the hearing on the motion to dismiss until
10 November 15, 2011, 10:00 a.m.; and

11 WHEREAS, the parties' undersigned counsel hereby declare that the requested time
12 modifications would have no material impact on the case schedule because the case is at its
13 initial stage:

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

16 The hearing on Western Digital's motion to dismiss will be continued from November 8,
17 2011 to November 15, 2011, in Courtroom 5, 4th Floor, San Jose Courthouse, at 10:00 a.m.

18
19 Dated: October 28, 2011

LATHAM & WATKINS, LLP

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21 By: /s/ Richard G. Frenkel

Richard G. Frenkel

22 Attorneys for Defendants/Counterclaim Plaintiffs
23 Western Digital Corporation et al.

24 Dated: October 28, 2011

BERGESON, LLP

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26 By: /s/ Jaideep Venkatesan

Jaideep Venkatesan

27 Attorneys for Plaintiff/Counterclaim Defendant
28 Guzik Technical Enterprises, Inc.

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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3 Dated: October 31, 2011



HON. PAUL SINGH GREWAL
UNITED STATES MAGISTRATE JUDGE

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