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****E-FILED: FEBRUARY 12, 2013****

9 Attorneys for plaintiff, West Marine, Inc.

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

14 WEST MARINE, INC.,)
)
 15 Plaintiff,)
)
 16 vs.)
)
 17 WATERCRAFT SUPERSTORE, INC.,)
)
 18 Defendant.)

Case No.: 5:11-04459 HRL

**STIPULATION TO EXTEND EXPERT
 DISCOVERY DEADLINES IN LIGHT
 OF TENTATIVE AGREEMENT
 REGARDING SETTLEMENT
 (MODIFIED BY THE COURT)**

Judge: Magistrate Judge
 Howard R. Lloyd

22 AND RELATED COUNTERCLAIMS)
 23)
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STIPULATION AND ~~[PROPOSED]~~ ORDER

WHEREAS, the deadline to submit rebuttal expert reports is currently set for February 15, 2013;

WHEREAS, the parties, Plaintiff West Marine, Inc. (“West Marine”) and Defendant Watercraft Superstore, Inc. (“Watercraft”), have reached a tentative agreement concerning the settlement of all claims in this action;

WHEREAS, in light of this tentative agreement, the parties have stipulated, subject to approval of the Court, to extend the rebuttal expert report deadline and the related cut-off for expert discovery by one week;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between West Marine and Watercraft, through their counsel of record, as follows:

- 1. The deadline to submit rebuttal expert reports, currently scheduled for ~~February 15,~~ January 25, 2013, 2013, will be extended to February 22, 2013;
- 2. The expert discovery cutoff, currently scheduled for ~~February 25, 2013,~~ February 15, 2013, will be extended to March 4, 2013;
- 2. The parties will apprise the Court of any further developments regarding settlement.

Dated: February 12, 2013

Respectfully submitted,
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: /s/ Allen Ruby
ALLEN RUBY
Attorneys for Defendant
WATERCRAFT SUPERSTORE, INC.

I, Allen Ruby, am the ECF User whose ID and password are being used to file this Stipulation To Extend Expert Discovery Deadlines In Light Of Tentative Agreement Regarding Settlement and [Proposed] Order. In compliance with General Order 45, X.B., I attest that the following signatory has concurred in this filing.

1 DATED: February 12, 2013

GREENBERG TRAURIG, LLP

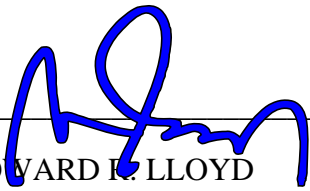
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By: /s/ Ian C. Ballon
IAN C. BALLON
Attorneys for Plaintiff
WEST MARINE, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Court does not intend to extend the deadline for hearings on dispositive motions.

DATED: February 12, 2013



HON. HOWARD I. LLOYD
UNITED STATES DISTRICT COURT
MAGISTRATE JUDGE