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7 Corporation, d/b/a/ Globaltrak, and
Richard C. Meyers

8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

11
12 IMPEVA, LABS, INC.,

13 Plaintiff,

14 vs.

15 SYSTEM PLANNING
16 CORPORATION, SYSTEM
PLANNING CORPORATION D/B/A
17 GLOBALTRAK, AND RICHARD C.
MEYERS

18 Defendants.
19

Civil Action No. 5:12-cv-00125-EJD

**[PROPOSED] ORDER TO EXTEND
TIME FOR CASE MANAGEMENT
CONFERENCE AND RELATED
DATES**

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21 IT IS HEREBY STIPULATED by and between the parties hereto pursuant
22 to Local Rules 17-12, and with the approval of this Court, that the ADR deadlines
23 be extended from their original noticed date based upon the following:

24 WHEREAS, in accordance with the Local Rules, the Court has scheduled
25 the hearing for the Case Management Conference (“CMC”) for April 27, 2012;

26 WHEREAS, Defendants previously had filed a motion to dismiss the
27 complaint herein. The hearing for which was scheduled for April 27, 2012 and, in
28 response thereto, Plaintiff filed its First Amended Complaint on or about February

1 22, 2012 and, thereafter, filed its Opposition to the Motion to Dismiss on or about
2 February 29, 2012. Thereafter, the parties requested to continue the CMC and
3 related dates but were advised by the Court that with the filing of the First
4 Amended Complaint rendered the motion to dismiss ineffective and the parties
5 should reassess the status of this matter (Dkt. No. 22);

6 WHEREAS, Defendants have now filed their motion to dismiss the First
7 Amended Complaint under F.R.C.P. 12(B)(1) and 12(B)(6) and the hearing on
8 such motion remains on April 27, 2012;

9 WHEREAS it is the parties belief that the Court's Order on Defendants'
10 motion will have an impact upon the scope of this case including, but limited to,
11 the application of this Court's local patent rules to this action in the event that the
12 Court grants or denies the motion with respect to Plaintiff's causes of action for
13 declaratory relief as to non-infringement and invalidity of the patents of Defendant
14 System Planning Corporation;

15 Accordingly, the parties believe that to conserve judicial resources the CMC
16 should be continued so as to permit this Court to rule on Defendants' motion and,
17 thereafter, allow the parties to prepare for the CMC based upon this Court's ruling;

18 The parties therefor respectfully requested that the ADR, and related
19 deadlines be revised as set forth below.

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21	Event	Original Date	New Date
22	CMC	April 27, 2012	June 1, 2012
23	ADR Deadlines	April 6, 2012	May 13, 2012
24	Rule 26(f) Report;		
25	Initial Disclosures; and		
26	File Case Management	April 20, 2012	May 26, 2012
27	Statement.		

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