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12 Attorneys for Plaintiff
 MAXIM I PROPERTIES

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

16 MAXIM I PROPERTIES, a general partnership,
 17 Plaintiff,
 18 vs.
 19 A.M. BUD KROHN, ET AL.,
 20 Defendants.
 21

Case No. 5:12-cv-00449 LHK

**STIPULATION AND [PROPOSED] ORDER
 EXCUSING APPEARANCE OF LEAD
 COUNSEL FOR PLAINTIFF AND
 CERTAIN DEFENDANTS AT INITIAL
 CASE MANAGEMENT CONFERENCE**

Judge: Honorable Lucy H. Koh

Complaint Filed: January 27, 2012
 CMC Scheduled: July 11, 2012

24 AND RELATED COUNTER AND CROSS-
 25 ACTIONS.

28 STIPULATION AND [PROPOSED] ORDER EXCUSING
 APPEARANCE OF LEAD COUNSEL FOR PLAINTIFF AND
 CERTAIN DEFENDANTS AT INITIAL CASE MANAGEMENT
 CONFERENCE
 CASE NO. 5:12-CV-00449 LHK

1 WHEREAS, Civil Local Rule 16-10(a) requires the appearance of lead counsel at the Initial
2 Case Management Conference unless excused by the Court;

3 WHEREAS Plaintiff's lead counsel, Greg O'Hara, is unavailable to personally attend the
4 Initial Case Management Conference scheduled for July 11, 2012 in this matter as required by Civil
5 Local Rule 16-10(a) as he will be in Rochester, New York attending a business meeting that cannot
6 be rescheduled;

7 WHEREAS, defendants BR&F Spray, Component Finishing, Inc. and Serra Corporation lead
8 counsel, Steven A. Ellenberg, is unavailable to personally attend the Initial Case Management
9 Conference because of previously set expert deposition in a case set for trial on July 23, 2012, which
10 cannot be rescheduled;

11 WHEREAS, Plaintiff and Counter-Defendant Maxim I Properties ("Maxim") and Defendants
12 and Counter-Claimants Moyer Products, Inc., Telewave, Inc., Integrated Device Technology, Inc.,
13 Space Systems/Loral Inc., BR&F Spray, Component Finishing, Inc. and Serra Corporation agree and
14 stipulate that Mr. O'Hara is excused from attendance and his partner Lisa A. Cole will appear at the
15 Initial Case Management Conference on behalf of Plaintiff and Counter-Defendant Maxim and that
16 Steven Ellenberg is excused from attendance and that his colleague Mark V. Boennighausen, who is
17 fully familiar with the matter, will appear instead on his behalf;

18 IT IS SO STIPULATED.

19 Dated: June 19, 2012

NIXON PEABODY LLP

21 By /s/ Alison B. Torbitt
22 Gregory P. O'Hara
23 Lisa A. Cole
24 Alison B. Torbitt
25 Attorneys for MAXIM I PROPERTIES

1 Dated: June 19, 2012

GOLDSBERRY, FREEMAN & GUZMAN LLP

2
3 By /s/ Francis Goldsberry II
4 Francis Goldsberry II, Esq.
Attorneys for MOYER PRODUCTS, INC.

5 Dated: June 19, 2012

LATHAM & WATKINS LLP

6
7 By /s/ Andrea M. Hogan
8 Karl S. Lytz, Esq.
9 Andrea M. Hogan, Esq.
Attorneys for INTEGRATED DEVICE
TECHNOLOGY, INC.

10 Dated: June 19, 2012

ABDALAH LAW OFFICES

11 By /s/ Richard K. Abdalah
12 RICHARD K. ABDALAH
13 MIRIAM H. WEN-LEBRON
Attorneys for Defendant
14 TELEWAVE, INC.

15 Dated: June 19, 2012

BARG COFFIN LEWIS & TRAPP, LLP

16
17 By /s/ Marc D. Katz
18 MARC D. KATZ
Attorneys for Defendant
19 SPACE SYSTEMS/LORAL, INC.

20 Dated: June 19, 2012

LAW OFFICES OF STEVEN A. ELLENBERG

21 By: /s/ Steven A. Ellenberg
22 STEVEN A. ELLENBERG
Attorneys for Defendants
23 BR&F SPRAY, COMPONENT FINISHING, INC. and
24 SERRA CORPORATION

1 I, Alison B. Torbitt, am the ECF user whose ID and password are being used to file this
2 document. In compliance with General Order 45, section X.B., I hereby attest that concurrence in
3 the filing of the document has been obtained from each of the other signatories.

4 Dated: June 19, 2012

By: /s/ Alison B. Torbitt
Alison B. Torbitt

5 IT IS SO ORDERED.

6 Dated: June 26, 2012

7
8 By Lucy H. Koh
9 Honorable Lucy H. Koh

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