MBVLLP 855 FRONT STREET SAN FRANCISCO CA 941111	1 2 3 4 5 6 7 8	JONATHAN S. O'DONNELL (SBN 100051) jon@mbvlaw.com DWIGHT C. DONOVAN (SBN 114785) dwight@mbvlaw.com JACK PRAETZELLIS (SBN 267765) jack@mbvlaw.com MBV LAW LLP 855 Front Street San Francisco, California 94111 Telephone: 415-781-4400 Facsimile: 415-989-5143  Attorneys for Defendants EBISLOGIC, INC., ASTERIX CONSULTING AND ELITE TECHNOLOGY PARTNERS, L			
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	10	UNITED STATES	ES DISTRICT COURT		
	11	NORTHERN DISTRICT OF CALIFORNIA			
	12	SAN JOSE DIVISION			
	13	SRICOM, INC.,	Case No. CV12-00904 LHK		
	14	Plaintiff,		FION TO CONTINUE EARLY L EVALUATION COMPLIANCE	
	15	v.	DATE; OF		
	16 17	EBISLOGIC, INC., ASTERIX CONSULTING, INC., ELITE TECHNOLOGY PARTNERS, LLC,	Date: Dept.: Judge:	December 12, 2012 Courtroom 8, 4th Floor The Honorable Lucy H. Koh	
	18	VMWARE, INC. and DOES 1 through 20 inclusive,			
	19	Defendants.			
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Plaintiff Sricom, Inc. ("plaintiff") and defendants eBislogic, Inc., Asterix Consulting, Inc., and Elite Technology Partners, LLC (collectively "defendants"), through their undersigned counsel, hereby submit this stipulation to continue the compliance date for the parties' Early Neutral Evaluation ("ENE") from December 12, 2012 to February 15, 2013.

- 1. Counsel for the parties and the evaluator initially scheduled the ENE session for December 10, 2012. Counsel for defendant/counterclaimant Asterix Consulting, Inc. ("Asterix") sought leave of Court for Asterix principal Amitabh Sharma ("Mr. Sharma") to attend by telephone rather than in person. That request was denied on November 16, 2012.
- 2. The order denying the request stated, in part, "[t]he court strongly encourages the parties to seek an extension of the deadline for completing ENE so that the session may be rescheduled to a date that is more convenient for all." [Dkt. No. 40.]
- 3. Mr. Sharma resides in Atlanta, Georgia and will be out of the country from December 10, 2012 through January 14, 2013. He and the client representatives for the other defendants/counterclaimants are available to attend an ENE session in California between January 28, 2013 and February 15, 2013.
- 4. The court-appointed evaluator has stated that an extension of the ENE compliance deadline would be helpful in conducting ENE/mediation.
  - 5. There have been no previous time modifications in scheduling the ENE.
- 6. A brief extension of time to complete the ENE will have no effect on the schedule of the case.
- 7. The parties agree to continue the ENE compliance deadline to February 15, 2013, subject to approval of the Court.

MBV LAW LLP

Dated: November 26, 2012

By <u>/s/</u>

JACK PRAETZELLIS
Attorneys For Defendants and Counterclaimants
EBISLOGIC, INC., ASTERIX CONSULTING,
INC., AND ELITE TECHNOLOGY
PARTNERS, LLC

## LAW OFFICE OF CHUNG S. POON

Dated: November 26, 2012

By <u>/s/</u>
CHUNG S. POON, ESQ.
Attorneys for Plaintiff

## PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 28, 2012

The How rable Lucy H. Koh United States District Court Judge

4826-2545-3073, v. 1