

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LEADER TECHNOLOGIES, INC., a)
Delaware corporation,)

Plaintiff-Counterdefendant,)

v.)

FACEBOOK, INC.,)
a Delaware corporation,)

Defendant-Counterclaimant.)

Civil Action No. 08-862-JJF/LPS

**STIPULATION AND [PROPOSED] ORDER TO MODIFY THE RULE 16
SCHEDULING ORDER**

Pursuant to Federal Rule of Civil Procedure 16(b)(4), Local Rule 16.4, plaintiff LEADER TECHNOLOGIES, INC. ("Leader") and defendant FACEBOOK, INC. ("Facebook") (collectively "the parties") submit this Stipulation to Modify the Rule 16 Scheduling Order to extend the time for expert discovery and filing of case dispositive motions. Pursuant to L.R. 16.4, counsel for each party certifies that they have sent a copy of this request to their respective clients.

Specifically, the parties stipulate that the Scheduling Order be modified as follows:

- Expert discovery cut-off: All expert discovery shall be completed by May 7, 2010.
- Deadline to file case dispositive motions: The last day to file a case dispositive motion is May 14, 2010.

The requested modification is for the convenience of the parties, and does not affect the trial schedule for this case. The Court's issuance of an order construing claim terms on March 9, 2010 makes opening expert reports due on April 8, 2010. As expert discovery is currently set to

close on April 19, 2010, this would leave only 11 days in which to serve rebuttal expert reports and conduct expert depositions. Thus, the parties respectfully request this modification of the scheduling order to extend the expert discovery period through May 7, 2010.

Currently, case dispositive motions must be filed by May 1, 2010. As these motions will likely rely on information obtained in expert discovery, it would be beneficial for expert discovery to be complete prior to filing any case dispositive motions. Thus, the parties also respectfully request an extension of the deadline by which to file case dispositive motions to May 14, 2010.

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SO ORDERED this _____ day of _____, 2010.

Joseph J. Farnan, Jr., U.S.D.J.

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