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 11 OCLC ONLINE COMPUTER LIBRARY  
 CENTER, INC.

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
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15 SKYRIVER TECHNOLOGY  
 16 SOLUTIONS, LLC, a California limited  
 liability company, and INNOVATIVE  
 17 INTERFACES, INC., a California  
 corporation,

18 Plaintiffs,

19 vs.

20 OCLC ONLINE COMPUTER LIBRARY  
 21 CENTER, INC.,

22 Defendant.  
 23  
 24

Case No. 3:10-cv-03305-JSW

STIPULATION AND ~~PROPOSED~~ ORDER  
 DEFERRING RESPONSE DATE AND  
 SETTING BRIEFING SCHEDULE ON  
TRANSFER MOTION

25 Plaintiffs SKYRIVER TECHNOLOGY SOLUTIONS, LLC and INNOVATIVE  
 26 INTERFACES, INC. (“Plaintiffs”) and Defendant OCLC ONLINE COMPUTER LIBRARY  
 27 CENTER INC. (“Defendant”) by and through counsel, hereby stipulate as follows:  
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STIPULATION AND ~~PROPOSED~~ ORDER  
 DEFERRING RESPONSE DATE, etc.  
 Case No. 3:10-cv-03305-JSW

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1 1. Plaintiffs filed the complaint herein on July 28, 2010. Defendant's deadline to  
2 plead or otherwise respond to the complaint is August 19, 2010.

3 2. Defendant contemplates filing a motion to transfer this action pursuant to 28  
4 U.S.C. § 1404 to the United States District Court for the Southern District of Ohio where  
5 Defendant is headquartered.

6 3. Defendant has requested, and Plaintiffs have agreed, that Defendant's time to  
7 plead or otherwise respond to the complaint may be deferred pending this Court's ruling on the  
8 contemplated transfer motion. Plaintiffs and Defendant have agreed to the following schedule in  
9 connection with the transfer motion:

10 (a) Defendant's opening brief: no later than September 9, 2010.

11 (b) Plaintiffs' opposition brief: no later than September 30, 2010.

12 (c) Defendant's reply brief: no later than October 14, 2010.

13 (d) Hearing date: October 29, 2010 at 9:00 a.m.

14 4. The parties have confirmed that the Court's online Civil Calendar shows that the  
15 October 29<sup>th</sup> hearing date is currently available.

16 5. Following this Court's ruling on the transfer motion, Defendant will respond to the  
17 complaint within 21 days of the entry of an order denying the motion or within 21 days of receipt  
18 of the case by the transferee court if the motion is granted, unless otherwise agreed by the parties  
19 or ordered by the court.

20 SO STIPULATED:

21 Dated: August 13, 2010

SHARTSIS FRIESE LLP

22 By: /s/ Robert E. Schaberg  
23 Robert E. Schaberg

24 Attorneys for Plaintiffs  
25 SKYRIVER TECHNOLOGY  
26 SOLUTIONS, LLC and INNOVATIVE  
27 INTERFACES, INC.  
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Dated: August 13, 2010

FARELLA BRAUN + MARTEL LLP

By: /s/ C. Brandon Wisoff  
C. Brandon Wisoff

Attorneys for Defendant  
OCLC ONLINE COMPUTER LIBRARY  
CENTER, INC.

I, C. Brandon Wisoff, am the ECF user whose ID and password are being used to file this Stipulation and [Proposed] Order Deferring Response Date and Setting Briefing Schedule on Transfer Motion. In compliance with General Order 45(X), I hereby attest that the other signatories have concurred in this filing.

/s/ C. Brandon Wisoff  
C. Brandon Wisoff

Pursuant to the above Stipulation, and for good cause shown,  
IT IS SO ORDERED.

Dated: August 23, 2010

  
Jeffrey S. White  
Hon. Jeffrey S. White  
United States District Judge