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15 NAME INTELLIGENCE, INC., JAY WESTERDAL,
PER WESTERDAL and RAY BERO

16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA
18 WESTERN DIVISION

19 THOUGHT CONVERGENCE, INC., a
20 Delaware Corporation and NAME
INTELLIGENCE, LLC, a Delaware
21 limited liability company,

22 Plaintiffs,

23 v.

24 JAY WESTERDAL, an individual;
PER WESTERDAL, an individual;
25 RAY BERO, an individual;
CAMERON JONES, an individual;
26 NAME INTELLIGENCE, INC., a
Washington corporation; and
27 DO'IMOVIE, an unknown entity,

28 Defendants.

Case No. CV 09-3088-R(AJWx)

**JOINT STIPULATION FOR BRIEF
EXTENSION OF DEADLINES AND
TRIAL**

[Filed concurrently with Declaration of
Hon. George P. Shiavelli and [Proposed]
Order]

Judge: Hon. Manuel L. Real

1 Plaintiffs and counterdefendants Thought Convergence, Inc. and Name
2 Intelligence, LLC, defendants and counterclaimants Name Intelligence, Inc. and Jay
3 Westerdal, and defendants Per Westerdal and Ray Bero (collectively, the "Parties"),
4 by and through their counsel of record, hereby stipulate and agree as follows:

5 WHEREAS, the Parties participated in a full day of mediation before the
6 Hon. George P. Schiavelli, U.S. District Judge (Ret.), on Wednesday, January 6,
7 2010;

8 WHEREAS, the Parties' counsel are working well together to narrow the
9 scope of the claims in this action and have agreed to narrow the scope of their
10 claims through amended pleadings, which will be filed the week of January 11,
11 2010;

12 WHEREAS, the Parties made substantial progress identifying the issues and
13 obstacles to settlement and have earnestly attempted to resolve their dispute;

14 WHEREAS, the Parties and the Hon. Shiavelli agree that further discrete
15 discovery is needed on key issues before a further attempt to reach resolution would
16 be practical;

17 WHEREAS, that discovery is likely to prevent the waste of judicial resources
18 and eliminate the expenditure of unnecessary costs;

19 WHEREAS, the Parties and the Hon. Schiavelli believe that the Parties can
20 complete the discovery in a short period of time and that there is a greater potential
21 for resolution if that discovery is conducted without the pressure of undertaking
22 trial preparation pursuant to the currently scheduled trial date;

23 WHEREAS, the Parties concurrently file a Declaration of the Hon. Shiavelli
24 in support of the Parties' Joint Stipulation for Brief Extension of Deadlines and
25 Trial.

26 WHEREAS, the Parties have scheduled a second mediation session with the
27 Hon. Schiavelli on January 27, 2010;

28

1 WHEREAS, the Parties have cleared the proposed alternative dates with the
2 Clerk pursuant to the Hon. Manuel L. Real's Local Rule 6.

3 NOW, THEREFORE, the Parties hereby stipulate and agree, through their
4 respective counsel, to a request for a short extension of the discovery period, all
5 pretrial deadlines, and the trial date by approximately thirty (30) days. The
6 alternative dates, as cleared with the Court, are as follows:

7 Final Pre-Trial Conference April 12, 2010

8
9 Memorandum of Contentions of Fact March 23, 2010
10 and Law, Exhibits Lists, Witness Lists &
11 Discovery Cut-Off

12 Pre-Trial Conference Order April 5, 2010

13
14 Jury Trial May 11, 2010 at 9:00 a.m.

15
16
17 Dated: January 11, 2010

18 ORRICK HERRINGTON & SUTCLIFFE LLP
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20 CHRISTOPHER J. CHAUDOIR

21 

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23 Attorneys for Plaintiffs and Counterdefendants
24 THOUGHT CONVERGENCE, INC. and
25 NAME INTELLIGENCE, INC.
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Dated: January 11, 2010

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