

Hon. Marsha J. Pechman

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AT SEATTLE
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06-CV-01637-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AUTODESK, INC. a Delaware
corporation,

Plaintiff,

v.

OPEN DESIGN ALLIANCE, a
Washington corporation,

Defendant.

No. 06-CV-01637-MJP

AGREED MOTION FOR A 30-DAY
~~STAY OF PROCEEDINGS AND
[PROPOSED] ORDER~~

NOTE ON MOTION CALENDAR:

February 23, 2007

Plaintiff Autodesk, Inc. and defendant Open Design Alliance jointly move the Court for a 30-day stay of these proceedings so that they may complete their ongoing settlement discussions without incurring potentially unnecessary litigation costs and without wasting judicial resources.

On November 22, 2006, the Court granted Autodesk's motion for a temporary restraining order. Since that time, the parties have met and conferred regarding expedited discovery, and Autodesk has filed its opening brief in support of its motion for a preliminary injunction. However, the parties' efforts and resources have been predominantly devoted to resolving this dispute without resort to further litigation. These ongoing negotiations, which have taken time due to the number and location of entities and individuals involved, have

1 been productive. The parties are now in the process of drafting final settlement documents
2 and are optimistic that this will resolve the matter with finality.

3 In making this joint motion, the parties remain mindful of the Court's desire to
4 keep this and all matters before it on a timely schedule. The parties respectfully make this
5 request, however, so that they may give the appropriate attention and resources to attempting
6 to complete the settlement without concurrently litigating the underlying dispute. If the
7 parties' efforts are unsuccessful at the conclusion of the stay, the parties will immediately
8 advise the Court and propose a new schedule for the responsive pleading to the
9 Counterclaims, the remaining briefing on the preliminary injunction motion, the Show Cause
10 Hearing referenced in paragraph 5 of the Court's November 22, 2006 Temporary
11 Restraining Order, and the parties' discovery obligations.

12 For all these reasons, the parties respectfully request this Court to exercise its
13 inherent power to manage and control its docket by staying proceedings in this action for a
14 period of 30 days. A proposed order consistent with this agreed motion is set forth below.

15 DATED: February 23, 2007.

YARMUTH WILSDON CALFO PLLC

17 By: s/Lyle A. Tenpenny

18 Angelo J. Calfo, WSBA #27079

Lyle A. Tenpenny, WSBA #34883

19 Fourth & Madison

925 Fourth Avenue, Suite 2500

20 Seattle, WA 98104

Phone: (206) 516-3800

21 Fax: (206) 516-3888

Email: acalfo@yarmuth.com

ltenpenny@yarmuth.com

23 Michael A. Jacobs (admitted *pro hac vice*)

24 Lynn M. Humphreys (admitted *pro hac vice*)

Morrison & Foerster LLP

425 Market Street

25 San Francisco, CA 94105-2482

Phone: (415) 268-7000

26 Fax: (415) 268-7522

AGREED MOTION FOR A 30-DAY STAY
OF PROCEEDINGS AND [PROPOSED] ORDER
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YARMUTH WILSDON CALFO PLLC

FOURTH & MADISON
925 FOURTH AVENUE, SUITE 2500
SEATTLE WASHINGTON 98104
T 206.516.3800 F 206.516.3888

1 Attorneys for Plaintiff Autodesk, Inc.

2 DATED: February 23, 2007.

3 FENWICK & WEST LLP

4 By: s/ Shawn M. Lindsay

5 Tyler A. Baker (admitted *pro hac vice*)
6 Stuart P. Meyer (admitted *pro hac vice*)
7 Rodger R. Cole (admitted *pro hac vice*)
8 Ilana S. Rubel (admitted *pro hac vice*)
9 Ryan J. Marton (admitted *pro hac vice*)

10 Silicon Valley Center
11 801 California Street
12 Mountain View, CA 94041
13 Phone: (650) 988-8500
14 Fax: (650) 938-5200
15 Email: tbaker@fenwick.com; smeyer@fenwick.com;
16 rcole@fenwick.com; irubel@fenwick.com;
17 rmarton@fenwick.com

18 Jeffrey M. Edelson WSBA #37361
19 Shawn M. Lindsay (admitted *pro hac vice*)
20 Markowitz, Herbold, Glade & Mehlhaf, P.C.
21 1211 SW Fifth Avenue, Suite 3000
22 Portland, OR 97204
23 Phone: (503) 295-3085
24 Fax: (503) 323-9105

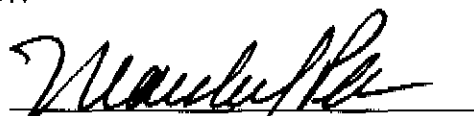
25 Attorneys for Defendant Open Design Alliance
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~~[PROPOSED]~~ ORDER

1
2 Upon the agreed motion of the parties, and good cause appearing, the Court hereby
3 GRANTS the motion and stays all proceedings and deadlines in this case for a period of 30-
4 days from the date of this Order.

5 IT IS SO ORDERED.

6 DATED this 1 day of March 2007.

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8 
9 Hon. Marsha J. Pechman
United States District Judge

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15 Presented by:

16 /s/Lyle A. Tenpenny
17 Angelo J. Calfo, WSBA #27079
18 Lyle A. Tenpenny, WSBA #34883
19 Yarmuth Wilsdon Calfo PLLC
20 925 Fourth Avenue, Suite 2500
21 Seattle, Washington 98101
22 Telephone: (206) 516-3800
23 Facsimile: (206) 516-3888
24 E-mail: acalfo@yarmuth.com
25 ltenpenny@yarmuth.com
26

Attorneys for Plaintiff Autodesk, Inc.