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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION - SANTA ANA

BY FAX

DIAGNOSTIC SYSTEMS CORP.,

Plaintiff,

v.

SYMANTEC CORPORATION, CA INC., F-SECURE, INC., NETIQ CORPORATION, QUEST SOFTWARE, INC., NETSCOUT SYSTEMS, INC., and MOTIVE, INC.,

Defendants.

CASE NO. 8:06-CV-01211-CJC-AN

STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF TIME FOR DEFENDANT NETSCOUT SYSTEMS, INC. TO RESPOND TO COMPLAINT

Defendant NetScout Systems, Inc. ("NetScout") has requested, and Plaintiff Diagnostic Systems Corporation ("Diagnostic Systems") has agreed, to extend the time for NetScout to respond to Diagnostics Systems' Complaint to February 9, 2007.

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Accordingly, it is hereby stipulated that NetScout has until February 9, 2007 to respond to the Complaint.

IT IS SO STIPULATED.

Dated January 3, 2007

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

By: Scott R. Mosko
Scott R. Mosko

Attorneys for Defendant
NETSCOUT SYSTEMS, INC.

-and-

DATED January 4, 2007

HENNIGAN, BENNETT & DORMAN

By: Omer Salik
Omer Salik

Attorneys for Plaintiff
DIAGNOSTIC SYSTEMS CORP.

ORDER

It is ORDERED that:

Defendant NetScout Systems, Inc. shall have until February 9, 2007 to Answer or otherwise plead to the Complaint filed by Diagnostic Systems Corporation.

Dated January 9, 2007

United States District Judge
Cormac J. Carney