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16 Claimant
CVIN. LLC

17 UNITED STATES DISTRICT COURT
18 EASTERN DISTRICT OF CALIFORNIA
19 FRESNO DIVISION

20 MP NEXLEVEL of California, Inc.,

21 Plaintiff,

22 vs.

23 CVIN, LLC dba VAST NETWORKS,
CALAVERAS COMMUNICATIONS
COMPANY, CAL-ORE TELEPHONE
24 CO., CONSOLIDATED
COMMUNICATIONS HOLDINGS, INC.,
25 DUCOR TELEPHONE COMPANY,
MOHAVE INVESTMENT, LLC,
26 SEBASTIAN ENTERPRISES, INC.,
SIERRA TEL BROADBAND, SIERRA
27 TEL COMMUNICATIONS GROUP,
STAGELINE COMMUNICATIONS, INC.,
28 SUREWEST FIBER VENTURES, LLC,
THE PONDEROSA TELEPHONE

Case No. 1:14-cv-00288-LJO-GSA

**STIPULATION TO CONTINUE
DEADLINE TO FILE OPPOSITION
AND REPLY RE PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT; ORDER**

Date Action Filed: February 28, 2014
Trial Date: July 25, 2017

1 COMPANY, VARCOMM, INC.,
2 VARNET, INC., VOLCANO
3 COMMUNICATIONS COMPANY,
4 VOLCANO TELECOM, INC., and DOES 1
5 to 100,

6 Defendants.

7
8 AND RELATED COUNTER, CROSS-,
9 AND THIRD-PARTY CLAIMS.
10

11 WHEREAS on April 27, 2016, plaintiff and cross-defendant MP Nexlevel of
12 California, Inc. ("MPN") noticed its Motion for Summary Judgment or in the Alternative
13 Partial Summary Judgment (the "Motion") for hearing on May 25, 2016 (ECF 278);

14 WHEREAS on May 6, 2016, this Court: 1) vacated the May 25, 2016 hearing date;
15 2) ordered the deadline for filing defendant, counterclaimant and cross-complainant CVIN,
16 LLC's ("CVIN") opposition to the Motion (the "Opposition") continued to June 1, 2016
17 and; 3) ordered the deadline for filing MPN's reply in support of the Motion (the "Reply")
18 continued to June 15, 2016 (ECF 282);

19 WHEREAS the parties hereto agree, in order to accommodate the scheduling of
20 depositions, that: 1) the deadline for filing CVIN's Opposition is continued to June 6, 2016
21 and 2) the deadline for filing MPN's Reply is continued to June 20, 2016.

22 IT IS HEREBY STIPULATED by and between the MPN and CVIN, by and
23 through their counsel of record, that: 1) the deadline for filing CVIN's Opposition is
24 continued to June 6, 2016 and 2) the deadline for filing MPN's Reply is continued to June
25 20, 2016.

26 **IT IS SO STIPULATED.**

27 Dated: May 17, 2016

RUTAN & TUCKER, LLP

By: /s/ Heather N. Herd

Heather N. Herd
Attorneys for Defendant,
Counterclaimant and Cross-Complainant
CVIN, LLC

1 Dated: May 17, 2016

GORDON & REES LLP

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3 By: /s/ Ben Patrick

4 Ben Patrick
5 Attorneys for Plaintiff and Cross-
6 Defendant MP Nexlevel of California,
7 Inc.

8 IT IS SO ORDERED.

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10 Dated: May 18, 2016

11 /s/ Lawrence J. O'Neill
12 UNITED STATES CHIEF DISTRICT JUDGE

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