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Cross-Claimant CVIN, LLC, dba VAST NETWORKS  
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10 UNITED STATES DISTRICT COURT

11 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

12 MP NEXLEVEL OF CALIFORNIA, INC., Case No. 1:14-cv-00288-LJO-EPG

13 Plaintiff,

14 vs.

15 CVIN, LLC dba VAST NETWORKS,  
CALAVERAS COMMUNICATIONS  
16 COMPANY, et al.,

17 Defendants.

**JOINT STIPULATION FOR  
CONTINUANCE OF TELEPHONIC  
STATUS CONFERENCE AND ORDER**

(ECF No. 444)

18 AND RELATED COUNTER, CROSS,  
19 AND THIRD-PARTY CLAIMS.  
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21 WHEREAS on July 10, 2018, the United States Court of Appeals for the Ninth  
22 Circuit issued its order to reverse and remand the decision of the trial court with respect to  
23 Plaintiff MP Nexlevel of California, Inc.'s ("MPC") Motion for Summary Adjudication.

24 WHEREAS on September 7, 2018, this Court set a telephonic conference call (the  
25 "Status Conference") to take place on October 16, 2018 at 9:30 a.m. before Magistrate Judge  
26 Erica P. Grosjean.

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1 WHEREAS on August 7, 2018, this Court ordered the undersigned parties “to confer  
2 and file a joint statement regarding a proposed schedule going forward and indicate whether  
3 the parties are interested in either a settlement conference or mediation.”

4 WHEREAS the undersigned have agreed to the terms of a settlement (the  
5 “Settlement”) of all claims in this action.

6 WHEREAS the parties believe that performance under the terms of the Settlement  
7 has been completed, and anticipate filing a Joint Stipulation and Proposed Order for  
8 Dismissal in the next two weeks.

9 WHEREAS CVIN and MPC have agreed to continue the Status Conference until  
10 after October 30, 2018 to allow the parties to confirm full performance of the Settlement and  
11 to file the dismissal.

12 Accordingly, IT IS HEREBY STIPULATED by the undersigned parties, by and  
13 through their counsel of record, that good cause exists to continue the date of the Status  
14 Conference until after October 30, 2018.

15 **IT IS SO STIPULATED.**

16 Dated: October 9, 2018

RUTAN & TUCKER, LLP  
WILLIAM T. ELIOPOULOS  
HEATHER N. HERD  
CARRIE MACINTOSH

19 By: /s/ Heather N. Herd  
Heather N. Herd, Esq.  
Attorneys for Defendant and Counter and  
21 Cross-Claimant CVIN, LLC, dba VAST

22 Dated: Signature authorized on October 9, 2018

23 GORDON & REES LLP  
24 BEN PATRICK

25 By: /s/ Ben Patrick  
Ben Patrick, Esq.  
26 Attorneys for Plaintiff, Cross-Defendant, and  
27 Third-Party Plaintiff MP NEXLEVEL OF  
28 CALIFORNIA, INC.

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**ORDER**

Pursuant to the stipulation of the Parties (ECF No. 444), and finding that good cause exists,  
IT IS HEREBY ORDERED that the Status Conference, currently set for October 16, 2018,  
is continued to November 6, 2018, at 10:30 a.m.

IT IS SO ORDERED.

Dated: October 10, 2018

/s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE