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17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA  
 19 SAN FRANCISCO DIVISION

20 NEWCAL INDUSTRIES, INC., *et al.*,  
 21 Plaintiffs,  
 22 v.  
 23 IKON OFFICE SOLUTIONS, INC., *et al.*,  
 Defendants.

24 GLOBAL SERVICES, LLC, *et al.*,  
 25 Plaintiffs,  
 26 v.  
 27 IKON OFFICE SOLUTIONS, INC., *et al.*,  
 28 Defendants.

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No. C 04-2776 JSW (LB)

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO STAY ACTION PENDING  
 FINALIZATION OF SETTLEMENT  
 AGREEMENT**

No. C 10-5974 JSW (LB)

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO STAY ACTION PENDING  
 FINALIZATION OF SETTLEMENT  
 AGREEMENT**

1 Plaintiffs and Defendants in the above-captioned related actions (collectively, the  
2 "Parties") hereby stipulate and agree that all litigation events and deadlines in these related  
3 matters should be stayed through and including December 21, 2012, pending finalization of a  
4 settlement agreement between all Parties.

5 In an effort to resolve these matters, the Parties have been working with a private  
6 mediator, the Honorable Vaughn R. Walker (Ret.). The parties have agreed that Chief Judge  
7 Walker may assist the parties in finalizing the settlement agreement, if needed.

8 The Parties have reached an agreement in principle to resolve these matters.

9 In the interest of judicial efficiency, and to avoid undue prejudice to the Parties, the  
10 Parties seek an order staying all litigation activity in these matters pending finalization of the  
11 settlement agreement and dismissal papers.

12 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AS FOLLOWS:

13 1. All litigation activity in the above-referenced actions, including discovery events  
14 and deadlines and pending motions, shall be stayed for a period of 24 days from the date of this  
15 Stipulation, through and including December 21, 2012, to allow the Parties time to finalize the  
16 settlement agreement and to dismiss these actions.

17 2. On or before December 21, 2012, the Parties shall file the necessary dismissal  
18 papers in furtherance of the settlement.

19 3. If the Parties are unable to finalize the settlement and file dismissal papers by  
20 December 21, 2012, the Parties shall advise the Court in writing on or before that date as to the  
21 status of the settlement. To the extent that any Party seeks to lift the stay and resume litigation of  
22 these matters, that Party shall submit a proposed schedule for these matters that takes into  
23 account the duration of the stay, but does not otherwise lengthen the schedule set forth in the  
24 Civil Minute Order (*NewCal* D.I. 142; *Global Services* D.I. 66), the Order Scheduling Trial and  
25 Pretrial Matters (*NewCal* D.I. 146), and the Order Continuing Case Management Conference and  
26 Other Pretrial Deadlines (*NewCal* Docket No. 169, *Global Services* D.I. 92).

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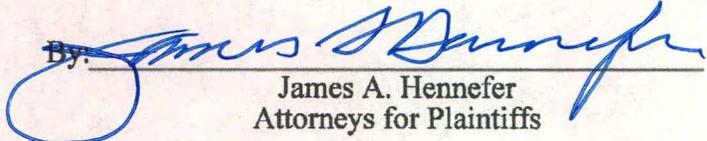
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IT IS SO STIPULATED.

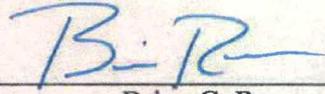
Dated: November 27, 2012

HENNEFER, FINLEY & WOOD, LLP

By:   
James A. Hennefer  
Attorneys for Plaintiffs

Dated: November 27, 2012

BINGHAM McCUTCHEN LLP

By:   
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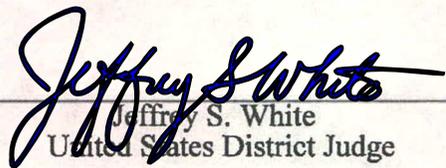
Dated: November 27, 2012

MUNGER TOLLES & OLSON LLP

By:  w/ permission BCR  
Joseph D. Lee  
Attorneys for Defendant  
General Electric Capital Corporation

Pursuant to stipulation, IT IS SO ORDERED.

Dated: December 3, 2012

By:   
Jeffrey S. White  
United States District Judge