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 11 XOOM CORPORATION

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 XOOM CORPORATION, a California  
 15 Corporation,

Case No. 11-CV-00848 (CRB)

16 Plaintiff,

**SECOND CONSENTED MOTION FOR AN  
 EXTENSION OF SERVICE DEADLINE  
 AND ~~PROPOSED~~ ORDER**

17 vs.

18 MOTOROLA TRADEMARK  
 19 HOLDINGS, LLC, a Delaware limited  
 20 liability company, MOTOROLA  
 21 MOBILITY, INC., a Delaware corporation,  
 22 and MOTOROLA MOBILITY  
 23 HOLDINGS, INC., a Delaware  
 24 corporation, and DOES 1 through 10  
 25 inclusive

26 Defendants.

27 Plaintiff Xoom Corporation (“Xoom”) filed the complaint in this action on February 23,  
 28 2011. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, Xoom had 120 days, or  
 until June 23, 2011, to serve the summons and complaint. On June 22, 2011 the parties filed a  
 Consented Motion for an Extension of Service Deadline requesting that the service deadline be  
 extended to July 13, 2011. The motion was granted by the Court on June 24, 2011.

The parties hereby request a second extension of the service deadline in this proceeding to  
 August 3, 2011. The parties continue to discuss the dispute. Counsel for Xoom and counsel for  
 Defendants, Kristin J. Achterhof of Katten Muchin Rosenman LLP, have mutually agreed to file  
 this motion to extend the service deadline by 21 days to August 3, 2011. *See* FRCP 6(b)(1)(A)

1 (“When an act may or must be done within a specified time, the court may, for good cause,  
2 extend the time: (A) with or without motion or notice if the court acts, or if a request is made,  
3 before the original time or its extension expires.”); *Henderson v. U.S.*, 517 U.S. 654 (1996) (120  
4 day period for service provided by FRCP 4(m) is extendable). This request has been served by  
5 email on Defendants’ counsel.

6 Given that the parties are in discussions to resolve this matter and that both parties agree  
7 to the extension, there is good cause for the Court to extend the service deadline to August 3,  
8 2011. Accordingly, the parties respectfully request that the service deadline be extended.

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Dated: July 11, 2011

**MORGAN, LEWIS & BOCKIUS LLP**  
ROCHELLE D. ALPERT  
LEIGHA E. WILBUR

By /s/Rochelle D. Alpert  
Rochelle D. Alpert

Attorneys for Plaintiff  
XOOM CORPORATION

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~~[PROPOSED]~~ ORDER

Having reviewed the Consented Motion for an Extension of Service Deadline and finding good cause for the Motion,

IT IS HEREBY ORDERED that the deadline for serving the summons and complaint in this proceeding is extended until August 3, 2011.

**IT IS SO ORDERED.**

Dated: July 12, 2011

