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 XOOM CORPORATION

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**

10 XOOM CORPORATION, a California  
 Corporation,

Case No. 11-CV-00848 (CRB)

11  
 12 Plaintiff,

**THIRD CONSENTED MOTION FOR AN  
 EXTENSION OF SERVICE DEADLINE  
 AND [PROPOSED] ORDER**

13 vs.

14 MOTOROLA TRADEMARK  
 HOLDINGS, LLC, a Delaware limited  
 liability company, MOTOROLA  
 15 MOBILITY, INC., a Delaware corporation,  
 and MOTOROLA MOBILITY  
 16 HOLDINGS, INC., a Delaware  
 corporation, and DOES 1 through 10  
 17 inclusive

18 Defendants.

19  
 20 Plaintiff Xoom Corporation ("Xoom") filed the complaint in this action on February 23,  
 21 2011. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, Xoom had 120 days, or  
 22 until June 23, 2011, to serve the summons and complaint. On June 22, 2011, the parties filed a  
 23 Consented Motion for an Extension of Service Deadline requesting that the service deadline be  
 24 extended to July 13, 2011. The motion was granted by the Court on June 24, 2011. On July 11,  
 25 2011, the parties filed a Second Consented Motion for an Extension of Service Deadline  
 26 requesting that the service deadline be extended to August 3, 2011. The motion was granted by  
 27 the Court on July 12, 2011.

28 The parties hereby request a third extension of the service deadline in this proceeding to

1 September 5, 2011. The parties continue to discuss the dispute. Counsel for Xoom and counsel  
2 for Defendants, Kristin J. Achterhof of Katten Muchin Rosenman LLP, have mutually agreed to  
3 file this motion to extend the service deadline to September 5, 2011. *See* FRCP 6(b)(1)(A)  
4 (“When an act may or must be done within a specified time, the court may, for good cause,  
5 extend the time: (A) with or without motion or notice if the court acts, or if a request is made,  
6 before the original time or its extension expires.”); *Henderson v. U.S.*, 517 U.S. 654 (1996) (120  
7 day period for service provided by FRCP 4(m) is extendable). This request has been served by  
8 email on Defendants’ counsel.

9 Given that the parties are in discussions to resolve this matter and that both parties agree  
10 to the extension, there is good cause for the Court to extend the service deadline to September 5,  
11 2011. Accordingly, the parties respectfully request that the service deadline be extended.

12 Dated: August 2, 2011

**MORGAN, LEWIS & BOCKIUS LLP**  
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