



1 (collectively “Motorola”) on February 23, 2011. On September 2, 2011, the Court granted the  
2 parties’ Consented Motion for an Extension of Case Management Conference and Related  
3 Deadlines. The Court set a November 11, 2011 deadline for the Case Management Conference  
4 Joint Statement, and scheduled a Case Management Conference for November 18, 2011, at 8:30  
5 a.m. The parties had been engaged in settlement discussions.

6 On October 28, 2011, Xoom Corporation served Motorola with its Complaint. Motorola’s  
7 Answer is now due on November 18, 2011. Given that the Case Management Conference is  
8 scheduled for the same date that Motorola’s Answer is due and that the related Case Management  
9 Conference deadlines are scheduled before Motorola’s Answer is even due, good cause exists to  
10 extend the Case Management Conference and related deadlines so that they occur after Motorola’s  
11 Answer is due. *See* FRCP 6(b)(1)(A) (“When an act may or must be done within a specified time,  
12 the court may, for good cause, extend the time: (A) with or without motion or notice if the court  
13 acts, or if a request is made, before the original time or its extension expires.”)

14 As such, Motorola respectfully requests a continuance of the Case Management Conference  
15 to December 16, 2011, at 8:30 a.m., and to extend all the dates calculated from the Case  
16 Management Conference date accordingly. Xoom Corporation has advised Motorola that it will not  
17 oppose this ex parte application to continue the Case Management Conference and related dates.

18  
19 Dated: November 8, 2011

MANNING & KASS  
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21 By: S:\ Richard G. Garcia  
22 Dennis B. Kass  
23 Richard G. Garcia  
24 Attorneys for Defendants  
25 Motorola Trademark Holdings, LLC, Motorola  
26 Mobility, Inc., Motorola Mobility Holdings,  
27 Inc.  
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1 **[PROPOSED] ORDER**

2 Having reviewed Motorola Trademark Holdings, LLC, Motorola Mobility, Inc. and  
3 Motorola Mobility Holdings, Inc.'s unopposed Ex Parte Application for Continuance of Case  
4 Management Conference and Related Deadlines and finding good cause for the Application,

5 IT IS HEREBY ORDERED that the Case Management Conference is continued until  
6 December 16, 2011, at 8:30 a.m. and the dates calculated on the Case Management Conference date  
7 shall be extended accordingly.

8  
9 **IT IS SO ORDERED.**

10  
11 Dated: November \_\_\_\_, 2011

HONORABLE CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE