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14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

18 NIMBUS DATA SYSTEMS, INC., a
 Delaware corporation,
 19
 Plaintiff,
 20
 v.
 21 NIMBLE STORAGE INC., a Delaware
 22 corporation,
 23 Defendant.

Case No. C11-01214 RS

**STIPULATION AND [PROPOSED] ORDER
 RESCHEDULING CASE MANAGEMENT
 CONFERENCE AND VACATING
 DEADLINES ESTABLISHED IN REVISED
 CASE MANAGEMENT ORDER IN LIGHT
 OF TENTATIVE SETTLEMENT**

1 Pursuant to Civil Local Rules 6-2 and 7-12, plaintiff Nimbus Data Systems, Inc. and
2 defendant Nimble Storage Inc. (collectively, the “Parties”), by and through their respective
3 counsel, hereby stipulate as follows:

4 WHEREAS, after lengthy settlement negotiations, the Parties have reached an agreement in
5 principal to settle the above-entitled action, subject to finalizing and executing a written
6 settlement agreement;

7 WHEREAS, a Subsequent Case Management Conference (“CMC”) is currently set in this
8 Action for April 5, 2012 at 10:00 a.m.;

9 WHEREAS, the Parties expect that a written settlement agreement will be finalized and
10 executed shortly;

11 WHEREAS, in the interests of judicial economy, the Parties have agreed, subject to the
12 Court’s approval, that: (a) all deadlines set forth in the Court’s December 13, 2011 Revised Case
13 Management Order, including without limitation the deadlines relating to discovery, summary
14 judgment and trial, shall be vacated; (b) the CMC currently set for April 5, 2012 shall be
15 postponed to May 3, 2012 at 10:00 a.m., or such other date and time that may be convenient for
16 the Court, so as to allow the Parties an opportunity to finalize the settlement agreement and
17 effectuate the dismissal of this case.

18 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED between the Parties, by and
19 through their respective counsel of record, subject to the approval of the Court, that:

20 1. All deadlines set forth in the Revised Case Management Order entered on
21 December 13, 2011 are vacated;

22 2. The CMC is moved to May 3, 2012 at 10:00 a.m., or such other date and time as
23 may be convenient for the Court; and

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1 3. The parties will immediately notify the Court when the settlement has become
2 final and the case is dismissed so that the rescheduled CMC can be taken off-calendar.

3 IT IS SO STIPULATED.

4 Dated: March 27, 2012

MORRISON & FOERSTER LLP

5 /s/ Christina Chen

6 Christina Chen

7 Attorneys for Plaintiff
NIMBUS DATA SYSTEMS, INC.

8 Dated: March 27, 2012

COOLEY LLP

9 /s/ Angela L. Dunning

10 Angela L. Dunning

11 Attorneys for Defendant
12 NIMBLE STORAGE INC.

13 **FILER'S ATTESTATION**

14 Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that
15 all parties have concurred in the filing of this Stipulation and [Proposed] Order Rescheduling
16 Case Management Conference and Vacating Deadlines Established in Revised Case Management
17 Order in Light of Tentative Settlement.

18 Dated: March 27, 2012

COOLEY LLP

19 /s/ Angela L. Dunning

20 Angela L. Dunning

21 Attorneys for Defendant
22 NIMBLE STORAGE INC.

23 **IT IS SO ORDERED.**

24
25 Dated: 3/27/12

26 

27 Honorable Richard Seeborg
28 United States District Judge