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 Foray Technologies, LLC
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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION
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12 KWAN SOFTWARE ENGINEERING, INC,) Case No.: CV-12-03762 PSG
 a California Corporation, dba VERIPIC, INC.,)

13 Plaintiff,

14 vs.

15 FORAY TECHNOLOGIES, LLC, a Delaware)
 16 Limited Liability Company,)

17 Defendant.
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**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO EXTEND TIME FOR
 MEDIATION**

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 21 Plaintiff Kwan Software Engineering, Inc., dba Veripic, Inc., (“Veripic”) and defendant
 22 Foray Technologies, LLC (“Foray”) stipulate as follows:

23 WHEREAS, the Court ordered the parties to complete mediation in this matter by the end
 24 of April 2013;

25 WHEREAS, plaintiff alleges that defendant (1) had access to plaintiff’s software,
 26 (2) copied, decompiled, disassembled, and/or modified plaintiff’s software, and (3) defendant
 27 created an unauthorized derivative work based on Veripic’s software, which defendant offered
 28 for sale and distribution in September 2009;

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 Lally LLP

1 WHEREAS, defendant generally denies these allegations, and more specifically
2 (1) denies that it had access to plaintiff's software, (2) denies that it copied, decompiled,
3 disassembled, and/or modified plaintiff's software, and (3) contends that the software defendant
4 offered for sale and distribution in September 2009 is substantially similar to the software it
5 offered for sale and distribution since before plaintiff began distributing its software;

6 WHEREAS, defendant contends that it requires some understanding of the factual basis
7 for plaintiff's allegations before any meaningful mediation can be held; and

8 WHEREAS, defendant believes it will require an additional 60 to 90 days to obtain
9 discovery from plaintiff, review that information, and conduct further appropriate third-party
10 discovery and investigation necessary for any meaningful mediation;

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