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 APPLE, INC.

12 **UNITED STATES DISTRICT COURT**  
 13 **NORTHERN DISTRICT OF CALIFORNIA**  
 14 **SAN FRANCISCO DIVISION**

16 EPL HOLDINGS LLC,  
 17  
 Plaintiff,  
 18 v.  
 19 APPLE, INC.,  
 20  
 Defendant.

Case No. 3:12-cv-04306 (EMC)

**STIPULATION AND PROPOSED  
 ORDER PURSUANT TO CIV. LOCAL  
 RULE 6-2 TO CHANGE THE CASE  
 MANAGEMENT CONFERENCE  
 DATE DUE TO COUNSEL'S FAMILY  
 MEDICAL EMERGENCY**

22  
 23 APPLE, INC.  
 24  
 Counterclaimant,  
 25 v.  
 26 EPL HOLDINGS LLC,  
 27  
 Counterclaim Defendant.

1           Whereas, the Case Management Conference ("CMC") is currently scheduled for 9:00 a.m. on  
2 Friday, November 30, 2012 before this Court;

3           Whereas, Plaintiff EPL's lead counsel, Arthur Beeman, has a medical family emergency to  
4 attend to on Friday November 30, 2012;

5           Whereas, counsel for Plaintiff contacted the Court to determine if the Court has an alternative  
6 date available to hold the CMC, and the Court's clerk informed counsel that December 21, 2012 or  
7 January 3, 2013 were the next available dates available on the Court's calendar to hold the CMC;

8           Whereas, in view of Mr. Beeman's family medical situation, Plaintiff and Defendant have met  
9 and conferred and agreed to request a postponement of the upcoming CMC to December 21, 2012;

10           Therefore, pursuant to Civ. Local Rule 6-2 and the Court's inherent authority, Plaintiff and  
11 Defendant hereby stipulate and agree to request a postponement of the CMC scheduled for November  
12 30, 2012 to December 21, 2012.

13           The previous time modifications in this case are follows:

- 14           • On September 5, 2012, the parties stipulated for an extension for defendant to respond  
15 to the Complaint. (Dkt No. 12)
- 16           • On October 15, 2012, the parties stipulated to request a continuance of the CMC,  
17 which the Court originally set for November 16, 2012 and then reset to November 30,  
18 2012. (Dkt. Nos. 25-27).

19           The requested change of time to the CMC will not affect any other date currently scheduled in  
20 this case.

21  
22  
23 Dated: 11/28/12

SNR DENTON USA, LLP

24 By:           /s/ Arthur S. Beeman            
25           Arthur S. Beeman

26           Attorneys for Plaintiff and Counterclaim Defendant  
27 EPL HOLDINGS, LLC  
28

1 Dated: 11/28/12

BOIES, SCHILLER & FLEXNER LLP

2  
3 By: /s/ Michael D. Jay  
Michael D. Jay

4 *Attorneys for Defendant and Counterclaimant*  
5 *APPLE, INC.*

6  
7  
8 *Pursuant to L.R. 5-1(i), the filer attests that concurrence in the filing of this document has been*  
9 *obtained by all signatories.*

10  
11 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

12 The CMC currently scheduled for 11/30/12 is reset to 9:00 a.m. on December 21, 2012.

13  
14 11/29/12

15 Dated: \_\_\_\_\_

