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8 Attorneys for Plaintiffs  
 Oracle America, Inc., and  
 9 Oracle International Corporation

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION  
 13

14 ORACLE AMERICA, INC., a Delaware  
 corporation, and ORACLE  
 15 INTERNATIONAL CORPORATION, a  
 California corporation,

16 Plaintiffs,

17 v.

18 CEDARCRESTONE, INC., a Delaware  
 corporation,

19 Defendant.

20  
 21 CEDARCRESTONE, INC., a Delaware  
 corporation,

22 Counter-claimant,

23 v.

24 ORACLE AMERICA, INC., a Delaware  
 corporation, and ORACLE  
 25 INTERNATIONAL CORPORATION, a  
 California corporation,

26 Counter-defendants.

Case No. 3:12-cv-04626 (NC)

**STIPULATION AND ~~PROPOSED~~  
 ORDER SHORTENING TIME TO  
 RESPOND TO ORACLE’S MOTION FOR  
 RELIEF FROM CASE MANAGEMENT  
 SCHEDULING ORDER AND SETTING HEARING**

1           WHEREAS, on January 17, 2013, the Court entered a Case Management Scheduling  
2 Order (Dkt. 32) in this case. *See* Declaration of Geoffrey M. Howard (“Howard Decl.”) ¶ 2;

3           WHEREAS, plaintiffs Oracle America, Inc. and Oracle International Corporation  
4 (collectively, “Oracle”) filed a Motion for Relief from the Case Management Scheduling Order  
5 (the “Motion”) on July 5, 2013. *See* Howard Decl. ¶ 3;

6           WHEREAS, Oracle’s Motion requests a modification of outstanding case deadlines in  
7 this action, including the close of fact discovery currently scheduled for August 19, 2013. *See*  
8 Howard Decl. ¶¶ 2-3;

9           WHEREAS, absent an order shortening the motion schedule, Defendant CedarCrestone,  
10 Inc.’s (“CedarCrestone”) responsive pleading would not be due until July 19, 2013, Oracle’s  
11 reply pleading would not be due until July 26, 2013, and a potential hearing regarding the  
12 Motion would be scheduled for no earlier than August 14, 2013. *See* Howard Decl. ¶¶ 4-6;

13           NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND REQUEST THE  
14 COURT TO ORDER as follows: that CedarCrestone’s deadline for filing a response to Oracle’s  
15 Motion will be July 11, 2013; and that Oracle’s deadline for filing a reply pleading will be July  
16 16, 2013. The parties further request that a hearing regarding the Motion, if the Court deems  
17 such hearing necessary, be scheduled for the earliest possible date convenient to the Court.  
18

19 Dated: July 5, 2013

BINGHAM MCCUTCHEN LLP

20 BY:           /s/ Geoffrey M. Howard            
21 Geoffrey M. Howard

22 Attorneys for Plaintiffs  
23 Oracle America, Inc. and Oracle  
24 International Corporation

25 Dated: July 5, 2013

KEKER & VAN NEST LLP

26 BY:           /s/ Daniel Purcell            
27 Daniel Purcell

28 Attorneys for Defendant  
CedarCrestone, Inc.

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**ATTESTATION OF CONCURRENCE IN FILING**

Pursuant to General Order No. 45, Section X.B. regarding non-filing signatories, I hereby attest that I have obtained concurrence from counsel for CedarCrestone in the filing of this document.

Dated: July 5, 2013.

/s/ Geoffrey M. Howard

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

The hearing on Oracle's Motion to Complete Discovery is scheduled for July 24, 2013 at 10:00 a.m.

DATED: July 9, 2013

By: \_\_\_\_\_

Hon. Nathanael M. Cousins  
United States Magistrate Judge

