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18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO

22 **SAGE ELECTROCHROMICS, INC.**, a
23 New Jersey Corporation,

Plaintiff and Counterclaim
Defendant,

25 v.

26 **VIEW, INC.**, a Delaware Corporation,

27 Defendant and
28 Counterclaimant.

CASE NO. C 12-06441 (JST)

**JOINT STIPULATION AND
[PROPOSED] ORDER EXTENDING
THE DEADLINE TO COMPLETE
COURT-APPOINTED MEDIATION**

1 Plaintiff and Counterclaim Defendant, SAGE Electrochromics, Inc. (“SAGE”), and
2 Defendant and Counterclaimant, View, Inc. (“View”), by and through their respective
3 undersigned counsel, respectfully submit this Joint Stipulation and [Proposed] Order to extend the
4 deadline for the parties to complete Court-appointed mediation.

5 WHEREAS, on May 29, 2013, the Court issued a Scheduling Order through claim
6 construction in this matter. Dkt. No. 57. The Scheduling Order entered by the Court originally
7 required the parties to complete Court-appointed mediation by October 15, 2013. Dkt. No. 57.

8 WHEREAS, on September 20, 2013, the Court reset the mediation date to November 5,
9 2013. *See* Docket Text Entry of 09/20/13.

10 WHEREAS, on October 11, 2013, the court appointed mediator Mr. Isbester informed the
11 parties that a conflict had come up on November 5. Mr. Isbester proposed the mediation be
12 rescheduled to November 11, 12 or 13. On October 15, 2013, the parties confirmed to Mr.
13 Isbester their availability for mediation on November 11, 2013. On October 22, 2013, the ADR
14 Program Case Administrator, Claudia Forehand, informed Mr. Isbester and counsel for the parties
15 that a joint stipulation needed to be filed by the parties extending the mediation deadline to
16 November 11, 2013.

17 WHEREAS, on October 22, 2013, the Court reset the mediation date to November 11,
18 2013. *See* Docket Text Entry of 10/22/13.

19 WHEREAS, the parties do not anticipate that the requested extension will require any
20 further adjustments to the current Scheduling Order.

21 NOW THEREFORE, the parties jointly agree and stipulate that good cause exists for the
22 Court to order as follows:

23 1. The deadline to complete Court-appointed mediation is amended to extend the
24 deadline to complete mediation to November 11, 2013.

25 2. All other deadlines contained in the Court’s May 29, 2013 Scheduling Order
26 remain unchanged.

1 Dated: October 23, 2013

RESPECTFULLY SUBMITTED,

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3 By: /s/ Terry W. Ahearn

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25 Attorneys for Plaintiff
26 SAGE ELECTROCHROMICS, INC.

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1 Dated: October 23, 2013

2 By: /s/ Tobias Mock
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21 *VIEW, INC.*

22 SIGNATURE ATTESTATION

23 Pursuant to Local Rule 5-1(i)(3), I hereby attest that I have obtained the concurrence in
24 the filing of this document from all the signatories for whom a signature is indicated by a
25 “conformed” signature (/s/) within this e-filed document and I have on file records to support this
26 concurrence for subsequent production for the court if so ordered or for inspection upon request.

27 Date: October 23, 2013

28 /s/ Terry W. Ahearn
Terry W. Ahearn

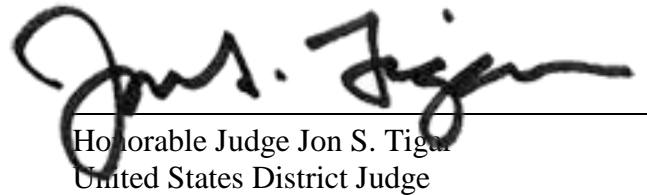
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PROPOSED ORDER

Based upon the above Stipulation and on the grounds set forth therein, it is hereby ORDERED, ADJUDGED, AND DECREED:

1. The deadline to complete Court-appointed mediation is amended to extend the deadline to complete mediation to November 11, 2013.
2. All other deadlines contained in the Court's May 29, 2013 Scheduling Order remain unchanged.

Date: October 23, 2013



Honorable Judge Jon S. Tighe
United States District Judge