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8 Attorneys for Defendants  
 9 E INK HOLDINGS, INC. and E INK CORPORATION

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

14 COPYTELE, INC., a Delaware  
 Corporation,

15 Plaintiff,

16 v.

17 AU OPTRONICS CORPORATION, a  
 18 Taiwanese corporation; AU OPTRONICS  
 CORPORATION AMERICA, a California  
 19 corporation; E INK HOLDINGS, INC., a  
 Taiwanese corporation; and E INK  
 20 CORPORATION, a Delaware corporation,

21 Defendants.

Case No. 3:13-cv-00380-EMC

**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE FURTHER CASE  
 MANAGEMENT CONFERENCE**

[Civil L. R. 6-1, 6-2, and 7-12]

1 Pursuant to Civil Local Rules 6-1, 6-2, and 7-12, this Stipulation and [Proposed] Order is  
2 entered into by and among Plaintiff CopyTele, Inc. (“CopyTele”), and Defendants E Ink  
3 Holdings, Inc. and E Ink Corporation (collectively, “E Ink”), and Defendant AU Optronics  
4 Corporation (“AUO”).

5 WHEREAS, on January 28, 2013, CopyTele filed a complaint in this action;

6 WHEREAS, on April 29, 2013, AUO filed a motion to compel arbitration and to stay the  
7 litigation, and E Ink filed motions to dismiss all claims against it and in the alternative to stay the  
8 claims against it pending arbitration between CopyTele and AUO;

9 WHEREAS, on July 9, 2013, in light of CopyTele’s agreement to arbitrate its claims  
10 against AUO, this Court stayed the claims against all defendants pending the resolution of the  
11 arbitration (Dkt. No. 91);

12 WHEREAS, on April 2, 2014, the Court issued an order resetting a further case  
13 management conference from April 24, 2013, to May 13, 2014;

14 WHEREAS, E Ink’s counsel has a conflict on May 13, 2014, that cannot be rescheduled;

15 WHEREAS, the Court’s clerk advised that the Court is available on May 15, 2014, at  
16 10:30 a.m. for a further case management conference;

17 **IT IS HEREBY STIPULATED AND AGREED** that:

18 1. The further case management conference shall be continued from May 13, 2014,  
19 to May 15, 2014, at 10:30 a.m.

20 2. Pursuant to Civil General Standing Order No. 6, the Case Management Conference  
21 Statement shall be due on May 8, 2014.

22 Dated: April 11, 2014

CROWELL & MORING LLP

*/s/ Beatrice B. Nguyen*

Beatrice B. Nguyen  
Attorneys for Defendants  
E INK HOLDINGS, INC. and  
E INK CORPORATION

1 Dated: April 11, 2014

LIEFF, CABRASER, HEIMANN  
& BERNSTEIN, LLP

*/s/ Eric B. Fastiff*

Eric B. Fastiff  
David T. Rudolf  
Attorneys for Plaintiff  
COPYTELE, INC.

6 Dated: April 11, 2014

LATHAM & WATKINS LLP

*/s/ Matthew Rawlinson*

Matthew Rawlinson  
Attorneys for Defendant  
AU OPTRONICS CORPORATION

11 **ATTESTATION**

12 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the  
13 filing of this document has been obtained from the other signatories.

14 Dated: April 11, 2014

*/s/ Beatrice B. Nguyen*  
Beatrice B. Nguyen

17 **[PROPOSED] ORDER**

18 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** For good cause shown:

- 19 1. The further case management conference shall be continued from May 13, 2014,
- 20 to May 15, 2014, at 10:30 a.m.
- 21 2. Pursuant to Civil General Standing Order No. 6, the Case Management Conference
- 22 Statement shall be due on May 8, 2014.

24 Dated: April 17, 2014

