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12 Attorneys for Defendants  
 13 XACTLY CORPORATION  
 and CHRISTOPHER CABRERA

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 15 **UNITED STATES DISTRICT COURT**  
 16 **NORTHERN DISTRICT OF CALIFORNIA**  
 17 **SAN FRANCISCO DIVISION**

18 CALLIDUS SOFTWARE, INC.,  
 a Delaware corporation,

19 Plaintiff,

20 v.

21 XACTLY CORPORATION,  
 22 a Delaware corporation; and CHRISTOPHER  
 CABRERA,  
 23 an individual,

24 Defendants.

Case No. 3:13-cv-01122 EMC

**STIPULATION TO EXTEND MEDIATION  
 AND [~~PROPOSED~~] ORDER**

1           Whereas on August 2, 2013, the Court assigned Stephen H. Sulmeyer, J.D., Ph.D., as the  
2 mediator to this case;

3           Whereas on September 13, 2013, the Court set a mediation for September 30, 2013;

4           Whereas the parties have conducted separate phone calls with the mediator;

5           Whereas after consulting with the ADR program office, the court-appointed mediator  
6 recommends that the parties postpone the date for a mediation in order to allow individual pre-  
7 mediation meetings with each party;

8           The parties hereby stipulate and agree, subject to the Court's approval, that the mediation  
9 currently scheduled for September 30, 2013 be postponed until no later than November 30, 2013.

10 Dated: September 27, 2013

DICKSTEIN SHAPIRO LLP

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By:           /s/ Deborah E. Fishman            
Deborah E. Fishman

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Attorneys for Plaintiff  
CALLIDUS SOFTWARE INC.

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15 Dated: September 27, 2013

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

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By:           /s/ James C. Yoon            
James C. Yoon

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Attorneys for Defendants  
XACTLY CORPORATION and  
CHRISTOPHER CABRERA

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IT IS SO ORDERED this 8th day of October, 2013.

