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8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION  
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12 ACTUATE CORPORATION, a California  
 corporation,  
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 Plaintiff,  
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 v.  
 15 RELIANCE STANDARD LIFE INSURANCE  
 COMPANY,  
 16  
 Defendant.  
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No. 3:13-cv-1202-MEJ

**THIRD STIPULATION AND  
~~[PROPOSED]~~ ORDER EXTENDING  
 TIME FOR DEFENDANT TO  
 RESPOND TO COMPLAINT AND  
 ADJOURNING INITIAL CASE  
 MANAGEMENT CONFERENCE**

Judge: Hon. Maria-Elena James  
 Place: Courtroom B, 15th Floor

1 By this Stipulation and Proposed Order, the parties respectfully request that the time for  
2 Defendant to answer, move or otherwise respond to the Complaint be extended, and the Initial  
3 Case Management Conference be adjourned, for the reasons stated below:

4 WHEREAS, the Complaint was filed on March 18, 2013; WHEREAS, the time for  
5 Defendant to answer, move or otherwise respond to the Complaint was first extended to May 17,  
6 2013 by stipulation [ECF No. 7];

7 WHEREAS, the time for Defendant to answer, move or otherwise respond to the  
8 Complaint was next extended to June 17, 2013 by stipulation and Order of this Court [ECF  
9 No. 9];

10 WHEREAS, the parties have engaged in settlement discussions;

11 WHEREAS, the parties have reached an agreement in principle and are in the process of  
12 negotiating a settlement agreement;

13 WHEREAS, the parties have therefore agreed on an extension of the deadline for  
14 Defendant to answer, move or otherwise respond to the Complaint through July 1, 2013;

15 WHEREAS, the Court has scheduled an Initial Case Management Conference for August  
16 8, 2013 at 10:00 a.m. [ECF No. 9]; and

17 WHEREAS, the parties seek the extension and adjournment to allow them to focus on  
18 finalizing the settlement agreement;

19 NOW THEREFORE, the parties hereby agree and stipulate to an extension of the date by  
20 which Defendant must answer, move or otherwise respond to the Complaint through and  
21 including July 1, 2013, and request that the Court adjourn the Initial Case Management  
22 Conference to a date at least 35 days after July 1, 2013.

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**~~PROPOSED~~ ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED that the Court's May 9, 2013 Order is modified as follows:

1. The August 8, 2013 Initial Case Management Conference shall be continued to September 5, 2013 at 10:00 a.m., Courtroom B, 15th Floor. If the parties settle prior to the CMC, they shall notify the Court immediately.

2. Defendant shall answer, move or otherwise respond to the Complaint on or before July 1, 2013.

3. The parties shall file their Fed. R. Civ. P. 26(f) Report and complete their initial disclosures under Fed. R. Civ. P. 26(a)(1) no later than seven (7) days before the Initial Case Management Conference.

DATED: June 13, 2013



Hon. Maria-Elena James