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 ATTORNEYS AT LAW
 SAN FRANCISCO

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

18 KING.COM LIMITED,
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 Plaintiff,
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 v.
 21 6 WAVES LLC, SIX WAVES INC, and
 22 DOES 1-5,
 23 Defendants.

Case No.: 13-cv-03977-MMC

**JOINT STIPULATION AND
 [PROPOSED] ORDER CONTINUING
 HEARING ON DEFENDANTS'
 FORUM NON CONVENIENS MOTION,
 MODIFYING BRIEFING SCHEDULE,
 AND CONTINUING INITIAL CASE
 MANAGEMENT CONFERENCE**

Courtroom: 7, 19th floor
 Judge: Hon. Maxine M. Chesney

1 WHEREAS, on August 27, 2013, Plaintiff King.com Ltd. (“King”) filed a Complaint for
2 copyright infringement against Defendant 6waves LLC (“6waves”);

3 WHEREAS, King served 6waves with that Complaint on September 4, 2013;

4 WHEREAS, on September 23, 2013, King and 6waves stipulated to extend 6waves’s
5 deadline to respond to that Complaint until October 25, 2013 (Dkt. 13);

6 WHEREAS, on October 1, 2013, this Court set the initial case management conference in
7 this case for December 6, 2013 (Dkt.19);

8 WHEREAS, on October 31, 2013, King filed a First Amended Complaint for copyright
9 infringement adding 6waves’ parent corporation Six Waves Inc. (“SWI”) as a defendant;

10 WHEREAS, on November 1, 2013, SWI and 6waves (collectively, “Defendants”) filed a
11 motion to dismiss on grounds of *forum non conveniens*, noticed for hearing on December 6, 2013
12 and supported by, *inter alia*, a 46-page declaration from Jacques deLisle and a 23-page
13 declaration from Meph Jia Gui regarding the laws and legal systems of the People’s Republic of
14 China;

15 WHEREAS, under this Court’s local rules, King’s response to that motion would
16 normally be due on November 15, 2013;

17 WHEREAS, lead counsel for King, Jennifer Kelly, has jury duty from November 4 until
18 November 8, 2013, and a long-planned vacation scheduled to begin on November 13, 2013;

19 WHEREAS, Defendants’ lead counsel, Sonali Maitra, is scheduled to be out of the office
20 for a vacation scheduled to begin on December 13, 2013, and Defendants’ counsel’s staff is
21 largely unavailable the week of Christmas until New Years;

22 WHEREAS, the parties believe that it would be the most efficient use of judicial resources
23 to schedule the initial case management conference in this case after the date set for the hearing
24 on Defendants’ motion;

25 NOW THEREFORE, the parties hereby stipulate and respectfully request that:

26 1. The hearing on Defendants’ motion to dismiss on the grounds of *forum non*
27 *conveniens* be continued until January 17, 2014;

- 1 2. The deadline for King to file its opposition to that motion be extended until
2 December 6, 2013;
- 3 3. The deadline for Defendants to file their reply to that opposition be extended until
4 January 3, 2014;
- 5 4. The initial case management conference in this case be continued until January 31,
6 2014; and
- 7 5. The deadlines triggered by the initial case management conference are adjusted as
8 follows: the deadline to meet and confer under Federal Rule of Civil Procedure 26(f) is set for
9 January 17, 2014 and the deadline to submit a joint case management statement is set for
10 January 24, 2014.

11 Dated: November 5, 2013

FENWICK & WEST LLP

12
13 By /s/ Jennifer L. Kelly
14 Jennifer L. Kelly

15 Attorneys for Plaintiff
16 KING.COM LIMITED

17 Dated: November 5, 2013

DURIE TANGRI LLP

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19 By /s/ Sonali D. Maitra
20 Sonali D. Maitra

21 Attorneys for Defendants
22 6 WAVES LLC and SIX WAVES INC.
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1 **[PROPOSED] ORDER**

2 Pursuant to the above stipulation, and good cause appearing, **IT IS HEREBY**
3 **ORDERED** that:

4 1. The hearing on Defendants' motion to dismiss on the grounds of *forum non*
5 *conveniens* is continued until January 17, 2014;

6 2. The deadline for King to file its opposition to that motion is extended until
7 December 6, 2013;

8 3. The deadline for Defendants to file their reply to that opposition is extended until
9 January 3, 2014;

10 4. The initial case management conference in this case is re-set for ~~January 31~~, 2014
11 at 10:30 a.m.; and

12 5. Deadlines triggered by the initial case management conference are adjusted as
13 follows: the deadline to meet and confer under Federal Rule of Civil Procedure 26(f) is set for
14 ~~January 17~~, 2014 and the deadline to submit a joint case management statement is set for
15 ~~January 24~~, 2014.

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17 Dated: November 6, 2013

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19 _____
20 The Hon. Maxine M. Chesley
21 United States District Court Judge
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