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11 STONEBRANCH, INC.

12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION
16

17 SERVICENOW, INC., a Delaware
Corporation,

18 Plaintiff,

19 v.

20 STONEBRANCH, INC., a Georgia
21 Corporation, and DOES 1-5,

22 Defendants.
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Case No. 3:13-cv-04243-RS

**STIPULATION AND ~~PROPOSED~~
ORDER TO HAVE PENDING MOTIONS
HEARD ON THE SAME DATE**

Judge: Hon. Richard Seeborg
Crtrm.: Three

Case filed: September 12, 2013
Trial Date: None Set

1 Plaintiff ServiceNow, Inc. (“ServiceNow”) and Defendant Stonebranch, Inc.
2 (“Stonebranch”) submit the following Stipulation for the Court’s consideration:

3 WHEREAS, on October 14, 2013, Stonebranch filed a Motion to Dismiss this matter in its
4 entirety for lack of personal jurisdiction (Dkt. No. 16), which will be fully briefed as of November
5 4, 2013;

6 WHEREAS, Stonebranch’s Motion to Dismiss is presently set for hearing before this
7 Court on December 12, 2013;

8 WHEREAS, on October 18, 2013 ServiceNow filed a Motion for Preliminary Injunction in
9 this matter (Dkt. No. 18-3), which will be fully briefed as of November 7, 2013;

10 WHEREAS, ServiceNow’s Motion for Preliminary Injunction is presently set for hearing
11 in this Court on November 21, 2013;

12 WHEREAS, lead trial counsel for Stonebranch is located in Atlanta, Georgia, and must
13 travel to attend the hearings in this case;

14 WHEREAS, the parties agree that the Court should decide the issue of jurisdiction
15 concomitantly or in advance of the question of whether injunctive relief is warranted;

16 WHEREAS, the parties agree that by opposing ServiceNow’s Motion for Preliminary
17 Injunction and submitting this Stipulation, Stonebranch has not and will not waive its arguments
18 with respect to personal jurisdiction;

19 THEREFORE, the parties believe that both Stonebranch’s pending Motion to Dismiss and
20 ServiceNow’s pending Motion for Preliminary Injunction should be heard on the same date,
21 November 21, 2013, or on the first hearing date thereafter acceptable to the Court and the parties.

22 **IT IS SO STIPULATED.**

23
24 DATED: November 4, 2013

COBLENTZ PATCH DUFFY & BASS LLP

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26 By: /s/ Julia D. Greer

27 JULIA D. GREER
28 Attorneys for Defendant
STONEBRANCH, INC.

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DATED: November 4, 2013

FENWICK & WEST LLP

By: /s/ Ilana S. Rubel

ILANA S. RUBEL
Attorneys for Plaintiff
SERVICENOW, INC.

IT IS SO ORDERED.

DATED: November 4 , 2013



Hon. Richard Seeborg
United States District Court Judge