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 J.C. PENNEY CORPORATION, INC.

8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **SAN FRANCISCO DIVISION**

11 J.C. PENNEY CORPORATION, INC.,)
 12 Plaintiff,)
 vs.)
 13)
 14 EOLAS TECHNOLOGIES)
 INCORPORATED; and THE REGENTS OF)
 15 THE UNIVERSITY OF CALIFORNIA,)
 16 Defendants.)

Case No. 3:13-cv-06003-MMC

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING TIME FOR
 DEFENDANTS TO REPLY TO
 PLAINTIFF'S OPPOSITION TO
 DEFENDANTS' MOTION TO DISMISS
 FOR LACK OF JURISDICTION (D.I. 27)**

McKool Smith Hennigan, P.C.
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1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff J.C. Penney Corporation, Inc. (“JCP”)
2 and Defendants Eolas Technologies Incorporated and The Regents of the University of California
3 (collectively, “Defendants”) hereby stipulate through their respective counsel of record as follows:

4 WHEREAS, on January 7, 2014 and January 6, 2014, JCP served its complaint upon
5 Defendants;

6 WHEREAS, on January 23, 2014, at the request of Defendants, the parties agreed to mutual
7 14 day extensions for Defendants to respond to JCP’s complaint;

8 WHEREAS, on January 23, 2014, this Court granted the parties stipulation;

9 WHEREAS, on February 7, 2014, Defendants filed a motion to dismiss for lack of
10 jurisdiction in response to JCP’s complaint;

11 WHEREAS, on February 14, 2014, the parties filed a joint stipulation to extend deadlines
12 for: 1) JCP to respond to Defendants’ motion to dismiss for lack of jurisdiction to March 7, 2014;
13 and 2) Defendants to reply to JCP’s opposition to Defendants’ motion to dismiss for lack of
14 jurisdiction to March 14, 2014;

15 WHEREAS, on February 18, 2014, this Court granted the parties stipulation and set
16 Defendants’ motion to dismiss for lack of jurisdiction for hearing on March 28, 2014;

17 WHEREAS, on February 19, 2014, the parties filed a joint stipulation requesting the hearing
18 on Defendants’ motion to dismiss for lack of jurisdiction be noticed on or after April 4, 2014, or as
19 soon thereafter at the Court’s convenience;

20 WHEREAS, on February 19, 2014, this Court rescheduled the hearing on Defendants’
21 motion to dismiss for lack of jurisdiction for April 4, 2014 at 9:00 a.m.; and

22 WHEREAS, on March 7, 2014, JCP filed its opposition to Defendants’ motion to dismiss for
23 lack of jurisdiction.

1 NOW THEREFORE the parties, through their undersigned counsel, hereby stipulate and
2 request that the Court grant, pursuant to Civil L.R. 6-2, that the time for Defendants to reply to JCP's
3 opposition to Defendants' motion to dismiss for lack of jurisdiction be extended by three days to
4 March 17, 2014.

5 IT IS SO STIPULATED.

6 Dated this March 13, 2014.

MCKOOL SMITH HENNIGAN, P.C.

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8 By: /s/ Courtland L. Reichman
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Attorneys for Defendants EOLAS
TECHNOLOGIES INCORPORATED; and THE
REGENTS OF THE UNIVERSITY OF
CALIFORNIA

16 Dated this March 13, 2014.

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Attorneys for Plaintiff
J.C. PENNEY CORPORATION, INC.

24 I hereby attest pursuant to L.R. 5.1(i)(3) that concurrence in the electronic filing of this
25 document has been obtained from the other signatories.

26 Dated this March 13, 2014.


/s/ Courtland L. Reichman
Courtland L. Reichman

PROPOSED ORDER

The Court having considered the stipulation of the parties, orders that the time for Defendants to reply to JCP's opposition to Defendants' motion to dismiss for lack of jurisdiction is extended by three days to until March 17, 2014.

PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: March 14, 2014


Honorable Maxine M. Chesney
United States District Judge