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

17 NIMBUS DATA SYSTEMS, INC., a  
 18 California Corporation  
 19 Plaintiff,  
 20 v.  
 21 MODUS LLC and DOES 1-10,  
 22 Defendants.

Case No.: 3:14-cv-04192-NC

**JOINT STIPULATED REQUEST FOR  
 CONTINUANCE OF INITIAL CASE  
 MANAGEMENT CONFERENCE; AND  
~~PROPOSED~~ ORDER AS MODIFIED**

Dept.: Courtroom A - 15th Floor  
 Judge: Nathanael Cousins

23 Pursuant to local Civil Rule 7-12, the parties to this action, Nimbus Data Systems, Inc.,  
 24 and Modus LLC, hereby submit this joint stipulated request to continue the initial case  
 25 management conference:

- 26 1. Per the Court’s Scheduling Order (Docket #4), the initial case management conference is
- 27 currently scheduled for December 17, 2014, at 10:00 a.m. in Court A- 15<sup>th</sup> Floor;
- 28 2. Defendant Modus LLC has filed a motion to dismiss this matter (Docket #6,) challenging
- the jurisdiction and venue of the Northern District of California, which motion is pending
- and is set to be heard on December 3, 2014;

1 3. The parties have timely met and conferred regarding case management issues, as required  
2 by the Court's Scheduling Order; and

3 4. The parties agree that it would be in the interest of judicial and party economy to extend  
4 the time for their obligation to comply with Rule 26's initial disclosures and other  
5 discovery and case management matters to a time after the Court rules on its jurisdiction  
6 to hear this action.

7 THEREFORE, the parties to this action stipulate and request that the initial case  
8 management conference, and related deadlines, be rescheduled by the Court to a time convenient  
9 to the Court but not less than thirty (30) days after the Court has issued an Order on the pending  
10 motion to dismiss.

11 Dated: November 25, 2014

JORGENSEN, SIEGEL,  
McCLURE & FLEGEL, LLP

12  
13 By: /s/ Gregory K Klingsporn  
14 Gregory K. Klingsporn  
15 Attorneys for Plaintiff  
NIMBUS DATA SYSTEMS, INC.

16 Dated: November 25, 2014

LAW OFFICES OF BENJAMIN E.  
MASKELL

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19 By: /s/ Benjamin E. Maskell  
20 Benjamin E. Maskell  
21 Attorneys for Defendant  
MODUS LLC

22 **GOOD CAUSE APPEARING, AND PURSUANT TO STIPULATION, IT IS**  
23 **ORDERED:**

24 The Court hereby grants the stipulated request of the parties, ~~and will reschedule the~~ The case management conference is  
25 ~~initial case management conference to a future date.~~ continued to February 4, 2015 at 10:00 a.m. Case management statement due January 28, 2015.

26 Dated: November 25, 2014

27 Hon. Nathanael M

