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

11
 12 E & E CO., LTD., a California corporation,

13 Plaintiff,

14 vs.

15 LIGHT IN THE BOX LIMITED, a Hong
 Kong corporation,

16 Defendant.

Case No. 3:15-CV-00069-EMC

Judge Edward M. Chen

17 **STIPULATION AND [PROPOSED]**
ORDER EXTENDING TIME TO
RESPOND TO SECOND AMENDED
COMPLAINT

18 Second Amended Complaint Filed:
 October 14, 2015

19 Current CMC Date: January 21, 2015

20 Plaintiff E & E Co., Ltd., (“Plaintiff” or “E & E”) and Defendant Light In The Box
 Limited (“Defendant” or “LITB Limited”) (collectively, the “Parties”), hereby stipulate to a two
 21 week extension of Defendant LITB Limited’s time to answer, move against, or otherwise respond
 22 to the Second Amended Complaint from December 1, 2015, to and including December 15, 2015.

23 The Parties’ stipulation is based on the following facts:

- 24 1. Plaintiff E & E filed a Second Amended Complaint (“SAC”) in the above
 25 captioned case against Defendant LITB Limited on October 14, 2015 (Dkt. No. 60);
 26 2. The Parties conferred and jointly stipulated to enlarge the time for LITB Limited to
 27 respond to the SAC to thirty (30) days, to and including November 13, 2015 (Dkt. No. 59);
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1 3. After ongoing settlement discussions, the Parties entered into a joint stipulation and
2 proposed order continuing the Case Management Conference scheduled for December 10, 2015,
3 and extending Defendant LITB Limited's time to respond to the SAC from November 13, 2015 to
4 December 1, 2015, (Dkt. No. 66), which order was entered by the Court on November 16, 2015
5 (Dkt. No. 67);

6 4. The Parties continue to engage in settlement discussions and would like time to
7 continue their settlement talks before taking the time and expense of responding to the SAC;

8 5. The Parties submit that this agreement was made in the spirit of conserving judicial
9 resources and is in the best interests of the Parties;

10 6. The agreed upon extension will have no impact on the timing for the Case
11 Management Conference currently scheduled for January 21, 2016, or any related events;

12 7. The Parties, therefore, respectfully request that Defendant LITB Limited's time to
13 answer, move against, or otherwise respond to the SAC be extended from December 1, 2015, to
14 and including December 15, 2015.

15 Dated: November 30, 2015

SIMPSON THACHER & BARTLETT LLP

16 By: /s/ Harrison J. Frahn IV

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18 *Attorney for Defendant, Light In The Box Limited*

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21 By: /s/ John Shaeffer

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24 *Attorneys for Plaintiff, E & E CO., LTD.*

25 **Attestation:** Pursuant to Civil Local Rule 5-1(i)(3), the filer attests that concurrence in the filing
26 of this document has been obtained from the signatories to this document.
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1 **[PROPOSED] ORDER**

2 Pursuant to the Parties' stipulation and for good cause shown, IT IS HEREBY
3 ORDERED that:

4 1. Defendant LITB Limited's time to answer, move against, or otherwise respond to
5 the Second Amended Complaint is extended by two weeks, from December 1, 2015, to and
6 including December 15, 2015.

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9 Dated: December 2, 2015

