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 12 PHOENIX TECHNOLOGIES LTD.

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

16 PHOENIX TECHNOLOGIES LTD. a
 17 Delaware Corporation,

18 Plaintiff,

19 v.

20 VMWARE, INC., a Delaware Corporation,

21 Defendant.

22 VMWARE, INC., a Delaware Corporation,

23 Counterclaimant,

24 v.

25 PHOENIX TECHNOLOGIES LTD. a
 26 Delaware Corporation,

27 Counterdefendant.

Case No. 15-cv-01414-HSG

**STIPULATED REQUEST FOR REFERRAL
 TO SETTLEMENT CONFERENCE WITH
 MAGISTRATE JUDGE CORLEY**

Judge: Hon. Haywood S. Gilliam, Jr.
 Courtroom: 15, 18th Floor
 450 Golden Gate Avenue
 San Francisco, CA

Trial Date: November 28, 2016

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STIPULATED REQUEST

This Stipulated Request is submitted by Phoenix Technologies Ltd. (“Phoenix”) and VMware, Inc. (“VMware”) (collectively, the “Parties”).

WHEREAS, on June 25, 2015, the Parties participated in an initial ADR Phone Conference call held by Howard A. Herman, Director of the Court’s ADR Program.

WHEREAS, on September 22 and 29, 2015, the Parties participated in further ADR Phone Conferences with Mr. Herman and have agreed that this dispute should be referred to a settlement conference with the Honorable Magistrate Judge Jacqueline Scott Corley.

NOW, THEREFORE, the Parties respectfully request that this Court refer this matter to a settlement conference with the Honorable Magistrate Judge Jacqueline Scott Corley.

IT IS SO STIPULATED.

Dated: October 1, 2015
COOLEY LLP
/s/ Whitty Somvichian
Whitty Somvichian

Dated: October 1, 2015
MORRISON & FOERSTER LLP
/s/ Arturo J. González
Arturo J. González

Attorneys for Plaintiff and Counterdefendant
PHOENIX TECHNOLOGIES LTD.

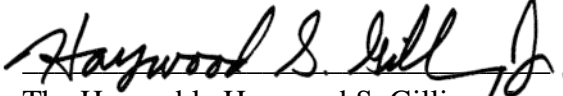
Attorneys for Defendant and Counterclaimant
VMWARE, INC.

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The matter will be referred for a settlement conference with the Honorable Magistrate Judge Jacqueline Scott Corley, on a mutually agreeable date to be determined among the parties and Judge Corley.

Date: October 2, 2015


The Honorable Haywood S. Gilliam, Jr.
United States District Judge

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ATTESTATION
(Civil Local Rule 5-1 (i)(3))

I, Whitty Somvichian, attest that concurrence in the filing of this document has been obtained from each of the other signatories. Executed on October 1, 2015 in San Francisco, California.

/s/ Whitty Somvichian
Whitty Somvichian