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 THRU INC.

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

16 DROPBOX, INC., a Delaware corporation,)
 17 Plaintiff,)
 18 v.)
 19 THRU INC., a Delaware corporation,)
 20 Defendant.)

Case No. 3:15-CV-01741-EMC (MEJ)

**STIPULATION AND [PROPOSED]
 ORDER TO RESET PRETRIAL
 CONFERENCE**

Before: Hon. Edward M. Chen
 Dept: Courtroom 5, 17th Floor

22 THRU INC., a Delaware corporation,)
 23 Counterclaimant,)
 24 v.)
 25 DROPBOX, INC., a Delaware corporation,)
 26 Counter-Defendant.)

Current Pre-Trial Conf.: 12/20/2016
 Proposed Pre-Trial Conf.: 1/10/2017
 Bench Trial Date: 1/23/2017

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1 Dropbox, Inc. ("Dropbox") and Thru, Inc. ("Thru") submit this Stipulation and [Proposed]
2 Order to Reset the Pretrial Conference in this matter from December 20, 2016 to January 10, 2017.

3 Dropbox filed a Motion for Summary Judgment in this case on September 15, 2016. On
4 October 27, 2016, the Court heard oral argument on that motion and took it under submission.
5 The Court's decision on that motion may significantly affect the issues to be tried in this case as
6 well as the parties' trial preparation. Given the current schedule, however, the parties will need to
7 undertake substantial trial preparation efforts without the benefit of the Court's decision. To
8 avoid the potential for misallocation or waste of resources in trial preparation, the parties jointly
9 request that the Court continue the Pretrial Conference by three weeks.

10 A bench trial is currently scheduled to begin in this matter on January 23, 2017, at 8:30
11 a.m. Continuing the Pretrial Conference to January 10, 2017, as the parties jointly request, will
12 have no impact on that trial date and this Stipulation is predicated on the assumption that the
13 proposed new date for the Pretrial Conference will not delay the trial.

14
15 Dated: November 2, 2016

Respectfully submitted,

16 WILSON SONSINI GOODRICH & ROSATI
17 Professional Corporation

18 By: /s/ David H. Kramer
19 DAVID H. KRAMER
JOHN L. SLAFSKY

20 Attorneys for Plaintiff and Counter-Defendant
DROPBOX, INC.

21 Dated: November 2, 2016

FERGUSON, BRASWELL & FRASER, PC

22 By: /s/ John M. Cone
23 JOHN M. CONE
24 RYAN A. STARNES

25 SISKIND BOYD LLP
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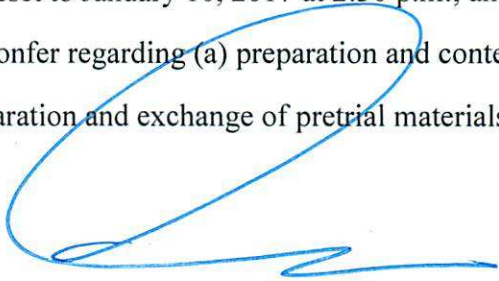
27 Attorneys for Defendant and Counterclaimant
28 THRU INC.

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[PROPOSED] ORDER

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2 Pursuant to stipulation, it is so ORDERED:

- 3 1. The pretrial conference is reset to January 10, 2017 at 2:30 p.m.; and
4 2. The parties will meet and confer regarding (a) preparation and content of the joint
5 pretrial conference statement and (b) preparation and exchange of pretrial materials on or before
6 ~~November 29~~ December 13, 2016.

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8 Dated: November 4, 2016



The Honorable Edward M. Chen
United States District Court Judge

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CERTIFICATION

I, DAVID H. KRAMER, am the ECF User whose identification and password are being used to file this **STIPULATION AND [PROPOSED] ORDER TO RESET PRETRIAL CONFERENCE**. In compliance with Civil Local Rule 5-1(i), I hereby attest that concurrence in the filing of this document has been obtained from all of the signatories.

Dated: November 2, 2016

/s/ David H. Kramer