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LIVEPERSON, INC.

16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN FRANCISCO DIVISION**

21 24/7 Customer, Inc.,
 22 Plaintiff,
 23 v.
 24 LivePerson, Inc.,
 25 Defendant.

Case No. 3:15-CV-02897-JST

**STIPULATION AND ~~PROPOSED~~
 ORDER RE AMENDED COMPLAINT**

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STIPULATION AND [PROPOSED] ORDER RE AMENDED COMPLAINT

WHEREAS, pursuant to FRCP 15, Plaintiff [24]7 seeks to amend its complaint to assert infringement of U.S. Patent No. 9,077,804 (the “’804 Patent”) by Defendant LivePerson;

WHEREAS, the ’804 Patent is a continuation of U.S. Patent No. 8,737,599, which is one of the four patents already asserted in this Action;

WHEREAS, the parties have met and conferred, and have reached agreement to add the ’804 Patent to this Action;

IT IS HEREBY STIPULATED as follows:

1. [24]7 will file its First Amended Complaint for Patent Infringement and Jury Demand, attached hereto as Appendix A, within seven calendar days of the Court’s Order permitting such filing.

2. [24]7 will serve on LivePerson its First Amended Infringement Contentions to include the ’804 Patent within seven calendar days of the Court’s Order permitting such filing.

Dated: January 6, 2016

O’MELVENY & MYERS

By: /s/ Mark E. Miller
Mark E. Miller

Attorneys for Plaintiff
24/7 Customer, Inc.

Dated: January 6, 2016

TURNER BOYD LLP

By: /s/ Karen Boyd
Karen Boyd

Attorneys for Defendant
LivePerson, Inc.

1 **ATTESTATION:** Pursuant to Local Rule 5-1(i)(3) I hereby attest that concurrence in the filing
2 of this document has been obtained from Karen Boyd.

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By: /s/ Mark E. Miller
Mark E. Miller

~~PROPOSED~~ ORDER

The parties' stipulation is adopted and IT IS SO ORDERED.

Dated: January 6, 2016

By:

