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 6 AQUA DYNAMICS SYSTEMS, INC.

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

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 12 LEVI STRAUSS & CO.,
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 14 v. Plaintiff,
 15 AQUA DYNAMICS SYSTEMS, INC.,
 16 Defendant.

Case No. 15-cv-04718-WHO
STIPULATION TO 1) CONTINUE HEARING MOTION TO CERTIFY OCTOBER 18, 2016 ORDER FOR INTERLOCUTORY APPEAL AND 2) CONTINUE CASE MANAGEMENT CONFERENCE; AND ORDER THEREON

Judge: William H. Orrick

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 19 WHEREAS on October 18, 2016, the Court entered its Order Granting Motion
 20 to Compel Arbitration (Docket No. 59) (“Order”);

21 WHEREAS on November 11, 2016, Levi Strauss & Co. (“LS&Co.”) filed its
 22 Motion to Certify the Order for Interlocutory Appeal (“Motion”) (Docket No. 62) and
 23 that Motion is scheduled to be heard December 21, 2016;

24 WHEREAS the Court has set a Case Management Conference for December
 25 21, 2016;

26 WHEREAS Aqua Dynamics Systems, Inc. (“ADSI”) and LS&Co. have agreed
 27 to postpone the Case Management Conference and hearing and briefs on the Motion and
 28 allow the parties to first meet and discuss settlement;

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IT IS HEREBY STIPULATED and agreed between the parties as follows:

1. The Case Management Conference currently scheduled for December 21, 2016 be continued to February 1, 2017 at 2:00 p.m.;
2. The hearing on the Motion of LS&Co. to Certify the October 18, 2016 Order for Interlocutory Appeal is continued to February 1, 2016 at 2:00 p.m. ADSI shall not use the extension period as the basis for any argument in this or any other matter pending between the parties that LS&Co.'s motion to certify is untimely and shall not take any steps to re-commence the arbitration during the extension period. The briefing and hearing schedule on LS&Co.'s motion to certify shall be as follows:

- Opposition due January 18, 2017
- Reply due January 25, 2017
- Hearing February 1, 2017.

DATED: November 23, 2016

HANSON BRIDGETT

By: /s/Robert A. McFarlane
 Robert A. McFarlane
 Attorneys for Plaintiff
 LEVI STRAUSS & CO.

DATED: November 23, 2016

MORRIS POLICH & PURDY LLP

By: /s/Timothy M. Flaherty
 Timothy M. Flaherty
 Attorneys for Defendant AQUA DYNAMICS
 SYSTEMS, INC.

Pursuant to Local Rule 5-1(i)(1)-(3), Timothy M. Flaherty hereby attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing of this document.

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2 **MORRIS POLICH & PURDY LLP**

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4 By: /s/Timothy M. Flaherty
5 Timothy M. Flaherty

6 ORDER

7 The court having considered the Stipulation of the parties and good cause
8 appearing, orders as follows:

- 9 1. The hearing on LS&Co.’s Motion to certify the October 18, 2016 Order for
10 Interlocutory Appeal shall be continued from December 21, 2016 to
11 February 1, 2017; ADSI’s opposition brief shall be due January 18, 2017;
12 LS&Co.’s reply brief shall be due on January 25, 2017;
- 13 2. The Case Management Conference is continued from December 21, 2016
14 to February 1, 2017 at 2:00 p.m. in Courtroom 2, 17th Floor, 450 Golden
15 Gate Avenue, San Francisco, CA 94102;

16 IT IS SO ORDERED.

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18 DATED: November 28, 2016

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19 Judge William H. Orrick