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5 Attorneys for Defendant  
 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.,  
 13  
 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 April 26, 2017;

24 WHEREAS the Court has set a Case Management Conference for April 26,  
 25 2017 pursuant to stipulated order filed on January 19, 2017 (Docket No. 68);

26 WHEREAS Aqua Dynamics Systems, Inc. (“ADSI”) and LS&Co. have agreed  
 27 to further postpone the Case Management Conference and hearing and briefs on the  
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1 Motion and so that the parties may focus their attention on resolving this matter through a  
2 formal mediation that is scheduled for May 2, 2017;

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

- 5 1. The Case Management Conference currently scheduled for April 26, 2017  
6 be continued to May 24, 2017 at 2:00 p.m.;
- 7 2. The hearing on the Motion of LS&Co. to Certify the October 18, 2016  
8 Order for Interlocutory Appeal is continued to May 24, 2017 at 2:00 p.m.  
9 ADSI shall not use the extension period as the basis for any argument in  
10 this or any other matter pending between the parties that LS&Co.'s motion  
11 to certify is untimely and shall not take any steps to re-commence the  
12 arbitration during the extension period. The briefing and hearing schedule  
13 on LS&Co.'s motion to certify shall be as follows:

- 14 • Opposition due May 10, 2017  
15 • Reply due May 17, 2017  
16 • Hearing May 24, 2017.

17  
18 DATED: April 6, 2017

**HANSON BRIDGETT**

19  
20 By: /s/ Robert A. McFarlane  
Robert A. McFarlane  
Attorneys for Plaintiff  
LEVI STRAUSS & CO.

21  
22 DATED: April 6, 2017

**MORRIS POLICH & PURDY LLP**

23  
24 By: /s/ Timothy M. Flaherty  
Timothy M. Flaherty  
Attorneys for Defendant AQUA DYNAMICS  
25 SYSTEMS, INC.  
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1 Pursuant to Local Rule 5-1(i)(1)-(3), Timothy M. Flaherty hereby attests that  
2 all other signatories listed, and on whose behalf the filing is submitted, concur in the  
3 filing's content and have authorized the filing of this document.  
4

5 **MORRIS POLICH & PURDY LLP**

6 By: /s/ Timothy M. Flaherty  
7 Timothy M. Flaherty  
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9 ORDER

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

- 12 1. The hearing on LS&Co.'s Motion to certify the October 18, 2016 Order for  
13 Interlocutory Appeal shall be continued from April 26, 2017 to May 24,  
14 2017; ADSI's opposition brief shall be due May 10, 2017; LS&Co.'s reply  
15 brief shall be due on May 17, 2017;
- 16 2. The Case Management Conference is continued from April 26, 2017 to  
17 May 24, 2017 at 2:00 p.m. in Courtroom 2, 17<sup>th</sup> Floor, 450 Golden Gate  
18 Avenue, San Francisco, CA 94102;

19 IT IS SO ORDERED.

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21 DATED: April 10, 2017

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23 \_\_\_\_\_  
24 Judge William H. Orrick  
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