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23
 24 IN THE UNITED STATES DISTRICT COURT
 25 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 26
 27 SAN FRANCISCO DIVISION

28 SYNCHRONOSS TECHNOLOGIES, INC.,

Plaintiff,

v.

FUNAMBOL, INC.,

Defendant.

SYNCHRONOSS TECHNOLOGIES, INC.,

Plaintiff,

v.

EGNYTE, INC.,

Defendant.

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Attorneys for Plaintiff
 SYNCHRONOSS TECHNOLOGIES, INC.

Case No. 3:16-cv-02026-HSG

**STIPULATION AND ORDER TO CONTINUE
 CASE MANAGEMENT CONFERENCE**

[CIVIL LOCAL RULE 6-2]

Date: February 14, 2017

Time: 2:00 p.m.

Ctrlm: 10, 19th Floor

Judge: Honorable Haywood S. Gilliam, Jr.

Case No. 3:16-cv-00120-HSG

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1 Pursuant to Civil Local Rule 6-2, Plaintiff, Synchronoss Technologies, Inc. (“Synchronoss” or
2 “Plaintiff”), and Defendants Funambol, Inc. (“Funambol”) and Egnyte, Inc. (“Egnyte”) (collectively, the
3 “Parties”), by and through their respective counsel and subject to the Court’s approval, have met and
4 conferred and respectfully request that the Court enter the following stipulation to continue the date of
5 the Case Management Conference.

6 **I. FACTUAL BACKGROUND**

7 In support of this stipulation, the undersigned Parties provide the following facts:

8 A. On April 20, 2016, this matter (“*Funambol*”) was transferred to this District from the
9 United States District Court of New Jersey and reassigned to United States District Court Magistrate
10 Judge Nathanael M. Cousins. (ECF 41).

11 B. On May 16, 2016, Funambol filed, pursuant to Civil Local Rule 3-12, an administrative
12 motion to consider whether this case should be related to two cases currently pending before Judge
13 Gilliam: (1) *Synchronoss Techs., Inc. v. Dropbox, Inc.*, Case No. 16-cv-00119-HSG; and (2) *Synchronoss*
14 *Techs., Inc. v. Egnyte, Inc.*, Case No. 16-cv-00120-HSG (“*Egnyte*”). See *Synchronoss Techs., Inc. v.*
15 *Dropbox, Inc.*, Case No. 16-cv-00119-HSG. (ECF 104). On May 25, 2016, this Court granted
16 Funambol’s administrative motion and issued an order relating this matter to the Egnyte and Dropbox
17 matters. (ECF 106).

18 C. On January 19, 2017, the Court issued an Order Setting Case Management Conference
19 and ADR Deadlines, setting the Case Management Conference for February 14, 2017 at 2:00 p.m., and
20 setting related deadlines based on that date for both the *Funambol* and *Egnyte* actions. (Case No. 3:16-
21 cv-02026-HSG at ECF 76; Case No. 16-cv-00120-HSG at ECF 64).

22 D. Lead counsel for Funambol is not available on February 14, 2017 at 2:00 p.m. to attend
23 the Case Management Conference due to a scheduling conflict.

24 E. Based on these facts, there is good cause to grant the requested extension because the
25 Parties believe a continuance is necessary in order to give them adequate time to meet and confer on the
26 relevant issues. Further, the Parties believe a continuance would be in the interest of judicial economy,
27 conserve the Court’s and the Parties’ resources, and allow for a more efficient and productive discussion
28 with the Court.

1 F. On January 23, 2017, in an email exchange, counsel for Synchronoss and Funambol met
2 and conferred and agreed to request a continuance of the Case Management Conference to February 28,
3 2017 or a later date, subject to the convenience of the court.

4 G. On January 23, 2017, in an email exchange, counsel for Funambol also met and conferred
5 with counsel for Egnyte to obtain their concurrence to continue the Case Management Conference in the
6 related case *Synchronoss Techs., Inc. v. Egnyte, Inc.*, Case No. 16-cv-00120-HSG. Counsel for Egnyte
7 concurs in the Parties' request to continue the Case Management Conferences in both the *Funambol* and
8 *Egnyte* actions to February 28, 2017 or a later date, subject to the convenience of the court.

9 H. The Parties agree that this stipulation does not modify any other deadlines in the case
10 schedule.

11 I. Synchronoss and Funambol previously requested two two-week extensions in the
12 *Funambol* action with respect to the Case Management Conference: 1) pending the Court's decision on
13 the administrative motion to relate the case to *Dropbox* and *Egnyte*, and 2) pending the Court's decision
14 on Dropbox's Motion to Dismiss in the related matter *Synchronoss v. Dropbox*, Case No. 16-cv-00119-
15 HSG. (ECF 52, 57). See Civil L.R. 6-2(a)(2).

16 J. Synchronoss and Egnyte have not yet requested any extensions of time in the *Egnyte*
17 action.

18 **II. STIPULATION**

19 In light of the above facts, the Parties, by and through their respective counsel, jointly request that
20 the Court enter the following stipulation as an Order of the Court:

21 A. The Case Management Conferences in both *Synchronoss Techs., Inc. v. Funambol, Inc.*,
22 Case No. 16-cv-02026-HSG, and *Synchronoss Techs., Inc. v. Egnyte, Inc.*, Case No. 16-cv-00120-HSG
23 shall be continued to February 28, 2017 at 2:00 p.m. or a later date subject to the convenience of the
24 Court.

1 IT IS SO STIPULATED.
2

3 Dated: January 27, 2017

DURIE TANGRI LLP

4
5 By: _____ */s/ Catherine Y. Kim*
6 SONALI D. MAITRA
7 TIMOTHY C. SAULSBURY
8 CATHERINE Y. KIM

9 Attorneys for Defendant
10 FUNAMBOL, INC.

11 Dated: January 27, 2017

DENTONS US LLP

12 By: _____ */s/ Sarah S. Eskandari*
13 SARAH S. ESKANDARI
14 MARK L. HOGGE
15 SHAIENDRA MAHESHWARI
16 NICHOLAS H. JACKSON

17 Attorneys for Plaintiff
18 SYNCHRONOSS TECHNOLOGIES, INC.

19 Dated: January 27, 2017

MEYERTONS, HOOD, KOWERT & GOETZEL P.C.

20 By: _____ */s/ Ryan T. Beard*
21 RYAN T. BEARD
22 ERIC B. MEYERTONS
23 DWAYNE K. GOETZEL


24 Attorneys for Defendant
25 EGNYTE, INC.
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 27, 2017



HONORABLE HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE

1 **FILER'S ATTESTATION**

2 Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Catherine Y. Kim, attest that concurrence
3 in the filing of this document has been obtained.

4 Dated: January 27, 2017

5 _____
6 */s/ Catherine Y. Kim*
7 CATHERINE Y. KIM
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