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8 UNITED STATES DISTRICT COURT
 9
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 OPENWAVE MESSAGING, INC., a
 13 Delaware corporation,
 14 Plaintiff and Counterclaim-
 15 defendant,
 16 v.
 17 OPEN-XCHANGE, INC., a Delaware
 corporation,
 18 Defendant and
 19 Counterclaimant.

Case No. 3:16-cv-00253-WHO

STIPULATION AND ORDER TO EXTEND
 TIME TO RESPOND TO OPEN-XCHANGE,
 INC.'S MOTION TO DISMISS

Date: August 16, 2017
 Time: 2:00 p.m.
 Courtroom: 2, 17th Floor
 Judge: Hon. William H. Orrick

1 Pursuant to Civil Local Rule 6-2, plaintiff Openwave Messaging, Inc. (“Openwave”) and
2 defendant Open-Xchange, Inc. (“Open-Xchange”) hereby file this Stipulation to extend
3 Openwave’s time to file an opposition Open-Xchange’s Motion to Dismiss or Stay Duplicative
4 Trade Secret Claims (Dkt. 88) (“Motion to Dismiss”) and Open-Xchange’s time to file a reply to
5 Openwave’s opposition.

6 Whereas, on June 30, 2017, Open-Xchange filed its Motion to Dismiss;

7 Whereas, Openwave’s opposition to the Motion to Dismiss is due on July 14, 2017
8 pursuant to Civil Local Rule 7-3(a);

9 Whereas, Open-Xchange’s reply to Openwave’s opposition is due on July 21, 2017
10 pursuant to Civil Local Rule 7-3(c);

11 Whereas, the parties have agreed that Openwave’s time to file an opposition the Motion
12 to Dismiss should be extended to July 21, 2017 and that Open-Xchange’s time to file a reply to
13 Openwave’s opposition should be extended to August 2, 2017;

14 Whereas, the hearing on the motion to dismiss is set for August 16, 2017.

15 IT IS HEREBY STIPULATED, by and between the undersigned counsel of the parties,
16 that:

- 17 (i) Openwave’s time to file an opposition to the Motion to Dismiss is extended to
18 July 21, 2017;
- 19 (ii) Open-Xchange’s time to file a reply to Openwave’s opposition is extended to
20 August 2, 2017.

21 SO STIPULATED.

22 Dated: July 5, 2017

PILLSBURY WINTHROP SHAW
PITTMAN LLP

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25 By: /s/ David M. Lisi
26 DAVID M. LISI
27 MONICA A. HERNANDEZ
28 Attorneys for Plaintiff and Counterclaim-
defendant Openwave Messaging, Inc.

1 Dated: July 5, 2017

FENWICK & WEST LLP

2 /s/ Jennifer L. Kelly
3 By: JENNIFER L. KELLY
4 TODD R. GREGORIAN
5 Attorneys for Defendant and
6 Counterclaimant Open-Xchange, Inc.

7 **ATTESTATION**

8 Pursuant to Civil Local Rule 5-1(i)(3), I attest that all other signatories listed, and on
9 whose behalf this filing is submitted, concur in the filing's content and have authorized the
10 filing.

11 Dated: June 5, 2017


12 By: /s/ David M. Lisi
13 David M. Lisi

14 * * *

15 **ORDER**

16 PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED.

17 Dated: July 6, 2017

18 By: 
19 Honorable William H. Orrick
20 United States District Judge