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8 *Attorneys for Plaintiff*

10 **UNITED STATES DISTRICT COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA**

13 VIA LICENSING CORPORATION,  
 14  
 Plaintiff,  
 15  
 v.  
 16 COMPAL ELECTRONICS, INC., et al.,  
 17  
 Defendants.

Case No. 3:16-cv-01409-HSG

**STIPULATION AND ORDER  
 SETTING SCHEDULE ON  
 RESPONSE TO COMPLAINT AND  
 RESCHEDULING INITIAL CASE  
 MANAGEMENT CONFERENCE  
 AND RELATED DATES**

1                   WHEREAS, on March 22, 2016, plaintiff Via Licensing Corporation (“Via”) filed  
2 its Complaint for Breach of Contract; Specific Performance (Dkt. No. 1) (the “Complaint”);

3                   WHEREAS, on April 6, 2016, the Court ordered that a case management  
4 conference shall be held in this case on July 1, 2016, at 11:00 A.M., in Courtroom 5, 2nd Floor,  
5 Federal Courthouse, 1301 Clay Street, Oakland, California (Dkt. No. 8);

6                   WHEREAS, on May 9, 2016, Via was informed that defendants Compal  
7 Electronics, Inc. and Auscom Engineering Inc. (collectively, “Defendants”) have retained Orrick,  
8 Herrington & Sutcliffe LLP (“Orrick”) to represent them in the above-captioned action;

9                   WHEREAS, Orrick has agreed to accept service of the Complaint on behalf of all  
10 Defendants;

11                   WHEREAS, on June 7, 2016, Via and Defendants filed their Stipulation and  
12 [Proposed] Order Setting Schedule on Response to Complaint and Rescheduling Initial Case  
13 Management Conference and Related Dates (Dkt. No. 11) (the “Stipulation With Proposed  
14 Order”);

15                   WHEREAS, on June 8, 2016, Judge Jeffrey S. White recused himself from this  
16 case (Dkt. No. 12);

17                   WHEREAS, on June 10, 2016, this case was reassigned to Judge Haywood S.  
18 Gilliam, Jr. (Dkt. No. 15);

19                   WHEREAS, on June 14, 2016, a case management conference was scheduled for  
20 July 5, 2016 at 2:00 p.m., in Courtroom 10, 19th Floor, 450 Golden Gate Avenue, San Francisco,  
21 California (Dkt. No. 16.) (the “Initial Case Management Conference”);

22                   WHEREAS, because Orrick has been recently retained by Defendants in this  
23 case, good cause exists to reschedule the Initial Case Management Conference to a later date and  
24 grant Defendants additional time to answer or otherwise respond to the Complaint;

25                   WHEREAS, the parties have agreed to complete the conference required by  
26 Rule 26(f) of the Federal Rules of Civil Procedure on or before July 12, 2016;

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1 WHEREAS, other than the Stipulation With Proposed Order, which has been  
2 neither granted nor denied, no time modifications have been previously requested in this case;

3 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between  
4 Via and Defendants, by and through their respective counsel, that:

- 5 1. Orrick will accept service of process on behalf of all Defendants.
- 6 2. Defendants shall have until and including August 5, 2016 to answer or  
7 otherwise respond to the Complaint.
- 8 3. If Defendants file any motion in response to the Complaint, the Parties  
9 will meet and confer on a briefing schedule.
- 10 4. The Initial Case Management Conference should be rescheduled from  
11 July 5, 2016 to August 16, 2016, at 2:00 p.m., in Courtroom 10, 19th Floor, 450 Golden Gate  
12 Avenue, San Francisco, California.
- 13 5. The Parties shall file their Joint Case Management Statement no later than  
14 five (5) court days prior to the Initial Case Management Conference.
- 15 6. As provided by the March 24, 2016 Order Setting Initial Case  
16 Management Conference and ADR Deadlines (Dkt. No. 4), all other deadlines provided by that  
17 order are continued consistent with the rescheduling of the Initial Case Management Conference  
18 to August 16, 2016, except for the conference required by Rule 26(f) of the Federal Rules of  
19 Civil Procedure, which the Parties have agreed to complete on or before July 12, 2016.

20 DATED: June 21, 2016

21 /s/ Laura Kabler Oswell

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*Attorneys for Plaintiff VIA LICENSING CORPORATION*

DATED: June 21, 2016

/s/ Robert J. Benson (w/ permission by LKO)  
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*Attorneys for Defendants COMPAL ELECTRONICS, INC. and AUSCOM ENGINEERING INC.*

I, Laura Kabler Oswell, am the ECF user whose ID and password are being used to file this Stipulation and [Proposed] Order Setting Schedule on Response to Complaint and Rescheduling Initial Case Management Conference and Related Dates. In compliance with General Order No. 45, X.B., I hereby attest that Robert J. Benson has concurred in this filing.

/s/ Laura Kabler Oswell  
Laura Kabler Oswell

\* \* \*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: JUNE 21, 2016.

  
HAYWOOD S. GILLIAM, JR.  
UNITED STATES DISTRICT JUDGE