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Attorneys for Defendant
Xinuos, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

X/OPEN COMPANY LIMITED
Plaintiff,
v.
XINUOS, INC.,
Defendant.

Case No. 3:16-cv-03122-RS

**JOINT STIPULATED REQUEST AND
~~PROPOSED~~ ORDER TO VACATE AND
RESET HEARING AND FOR AN
EXTENSION OF TIME TO FINALIZE
SETTLEMENT AGREEMENT AND
DISMISSAL**

Date: April 27, 2017
Time: 2:30 p.m.
Courtroom: 3, 17th Floor
Judge: Hon. Richard Seeborg

Plaintiff X/Open Company Ltd. (“X/Open”) and Defendant Xinuos, Inc. (“Xinuos”), through their undersigned attorneys hereby jointly notify the Court that the parties are finalizing a settlement

1 agreement reached during the parties' February 16, 2017 mediation and respectfully request that the
2 Court vacate the Standby Order of Dismissal hearing currently set for April 27, 2017, at 2:30 p.m.,
3 reset the hearing for May 18, 2017, or another time convenient for the Court, and grant the parties a
4 two-week extension of time to file a stipulation of dismissal.

5 **JOINT DECLARATION OF THE PARTIES:**

6 1. The parties settled this matter during mediation on February 16, 2017.

7 2. The parties are currently working to finalize the settlement agreement and anticipate filing
8 a joint stipulation of dismissal within the next two weeks.

9 Therefore, the parties jointly request that the Court vacate and reset the April 27, 2017
10 hearing to May 18, 2017, or another time convenient to the Court, and grant the parties a two-week
11 extension to file a stipulated dismissal.

12 By signature below, counsel for Plaintiff attests that counsel for Defendant concurs in the
13 filing of this paper.

14
15 Respectfully Submitted:

16
17 Dated: April 26, 2017

By: /s/ Morgan E. Smith

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Dated: April 26, 2017

By: /s/ Vijay K. Toke

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Attorneys for Defendant
Xinuos, Inc.

~~**[PROPOSED]**~~ **ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 4/26/17



The Hon. Richard Seeborg
United States District Judge
Northern District of California