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13 [Additional Counsel on Signature Page]

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 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION

18 ICE CONSULTING, INC., UZAIR
 19 SATTAR, and DERICK NEEDHAM

20 Plaintiffs and Counter-
 Defendants,

21 vs.

22 GAVIN JENSEN,

23 Defendant and Counter-
 24 Claimant.

Case No: 3:16-cv-04349-EMC

**STIPULATION TO VACATE
 WITHOUT PREJUDICE THE
 HEARING ON ICE CONSULTING,
 INC.'S MOTION TO DISMISS
 AND CASE MANAGEMENT
 CONFERENCE; [PROPOSED]
 ORDER**

Current Date of CMC and Hearing:
 Feb. 2, 2017

Trial: Not Set

Case No. 3:16-cv-04349-EMC

STIPULATION TO VACATE WITHOUT PREJUDICE THE HEARING ON ICE
 CONSULTING, INC.'S MOTION TO DISMISS AND CASE MANAGEMENT
 CONFERENCE; [PROPOSED] ORDER

1 Pursuant to Local Rule 6-2, Plaintiffs and Counter-Defendants ICE
2 Consulting, Inc. (“ICE”), Uzair Sattar, and Derick Needham (collectively,
3 “Plaintiffs”), and Defendant and Counter-Claimant Gavin Jensen (“Defendant”)
4 (Plaintiffs and Defendant are herein referred to collectively as the “Parties”), by
5 and through their respective counsel, hereby enter into this Stipulation to Vacate
6 Without Prejudice the Hearing on ICE’s Motion to Dismiss and the Case
7 Management Conference set for February 2, 2017.

8 WHEREAS, on December 9, 2016, the Parties reached a settlement in
9 principle. Crane Dec., ¶ 2.

10 WHEREAS, on January 25, 2017, after continued negotiation and
11 discussions, the Parties reached agreement on all the terms of a formal, written
12 settlement agreement. Crane Dec., ¶ 3.

13 WHEREAS, on January 25, 2017, counsel for the Parties received a request
14 from the clerk of this Court regarding the status of the Parties’ settlement in light
15 of the upcoming hearing on ICE’s Motion to Dismiss on February 2, 2017. Crane
16 Dec., ¶ 4.

17 WHEREAS, on January 25, 2017, counsel for Plaintiffs responded to the
18 clerk of this Court that (1) the Parties had just finally come to terms on the
19 language of their written settlement agreement and were in the process of
20 exchanging signatures; and (2) the Parties intend to file a Joint Motion requesting
21 the Court to retain jurisdiction to enforce the settlement agreement once signatures
22 had been exchanged, followed by a Joint Request for Dismissal. Crane Dec., ¶ 4.

23 WHEREAS, in response, on January 27, 2017, the clerk of this Court
24 requested that the Parties submit a stipulation vacating the hearing date on ICE’s
25 Motion to Dismiss without prejudice to being re-noticed if necessary, in order to
26 avoid the Court spending unnecessary time preparing for the Motion. Crane Dec.,
27 ¶ 5.

1 **THEREFORE, THE PARTIES HEREBY STIPULATE:**

2 That the hearing on ICE’s Motion to Dismiss and the Case Management
3 Conference set for February 2, 2017, at 1:30 p.m. be vacated without prejudice to
4 be re-noticed at a later date if necessary.

5 **IT IS SO STIPULATED.**

6
7 Date: January 27, 2017

NOSSAMAN LLP
VERONICA M. GRAY
ANDREW C. CRANE

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By: /s/ Andrew C. Crane

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Andrew C. Crane

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Attorneys for Plaintiffs and Counter-
Defendants
ICE Consulting, Inc.; Uzair Sattar;
and Derick Needham

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Date: January 27, 2017

DHILLON LAW GROUP INC

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By: /s/ Nitoj P. Singh

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Nitoj P. Singh

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Claimant
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ORDER

PURSUANT TO THE STIPULATION AND GOOD CAUSE APPEARING, IT IS SO ORDERED that the hearing on Plaintiff ICE Consulting, Inc.’s Motion to Dismiss, and the Case Management Conference, set February 2, 2017 at 1:30 P.M. is VACATED without prejudice to being re-noticed at a later date if it becomes necessary.

A Further CMC is set for 3/2/2017 at 10:30 a.m.
An updated joint CMC statement shall be filed by 2/23/17.

