

1 David M. Given, CSG. 142375)  
 PHILLIPS, ERLEWINE, GIVEN & CARLIN LLP  
 2 39 Mesa Street, Suite 201 - The Presidio  
 San Francisco, CA 94129  
 3 Telephone: 415-398-0900  
 Fax: 415-398-0911  
 4 Email: dmg@phillaw.com

5 Edward Klaris (*Pro Hac Vice*)  
 KLARIS LAW PLLC  
 6 475 Park Avenue South, 22nd Floor  
 New York, New York 10016  
 7 Telephone: 917-822-7468  
 Email: edward.klaris@klarislaw.com

9 Attorneys for Plaintiff

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

13 POP MIDDLE EAST, INC., a foreign  
 corporation,  
 14  
 Plaintiff,  
 15  
 v.  
 16  
 POPSUGAR INC., a Delaware corporation;  
 17 EBATES INC., a Delaware corporation,,  
 18  
 Defendants.

Case No. 3:17-cv-02015-WHA  
**JOINT STIPULATION TO ENLARGE  
 TIME RE MOTION TO DISMISS AND  
 INITIAL CASE MANAGEMENT;  
~~PROPOSED~~ ORDER**  
 Complaint Filed: April 11, 2017  
 Trial Date: October 22, 2018

20  
 21 Plaintiff Pop Middle East, Inc., Defendant POPSUGAR Inc., and Defendant Ebates, Inc.,  
 22 by and through their respective counsel of record, stipulate as follows:

23 WHEREAS, Plaintiff Pop Middle East, Inc. (hereinafter "Plaintiff") filed its Complaint on  
 24 April 11, 2017 [Dkt 1];

25 WHEREAS, Plaintiff served the Complaint on Defendants POPSUGAR, Inc. and Ebates,  
 26 Inc. on April 13, 2017, and a responsive pleading was due on or about May 4, 2017 [Dkts. 7-1  
 27 and 7-2];  
 28

1           WHEREAS, on April 21, 2017, Plaintiff agreed to extend Defendants' time to answer or  
2 otherwise respond to the complaint by 21 days, up to and including May 25, 2017 [Dkt. 11];

3           WHEREAS, on May 5, 2017, the Court scheduled an Initial Case Management  
4 Conference for July 13, 2017;

5           WHEREAS, on May 18, 2017, Plaintiff agreed to a further extension of time for  
6 Defendants to answer or otherwise plead to the complaint, up to and including June 15, 2017  
7 [Dkt. 19];

8           WHEREAS, on June 15, 2017, Defendants POPSUGAR, Inc. and Ebates filed and served  
9 their motions to dismiss, with a hearing date of July 27, 2017;

10           WHEREAS, on June 29, 2017, Judge Alsup granted a Stipulation extending the deadline  
11 (i) for the Plaintiff's time to file its opposition to Defendants' motions to dismiss to July 31, 2017;  
12 (ii) for Defendants' replies to August 7, 2017, and continuing the deadline for (iii) the hearing  
13 date on Defendants' motions to dismiss to August 17, 2017; and (iv) the date for the Initial Case  
14 Management Conference to August 17, 2017 [Dkt.34].

15           WHEREAS, Plaintiff's oppositions to the motions to dismiss are due in three (3) days, on  
16 July 31, 2017.

17           WHEREAS, Plaintiff and Defendant POPSUGAR, Inc. have reached agreement on all  
18 terms of a fully drafted and final settlement agreement, except that execution is dependent upon  
19 Plaintiff and Defendant Ebates completing their separate settlement agreement.

20           WHEREAS, Plaintiff and Defendant Ebates have exchanged multiple drafts of a separate  
21 settlement agreement, have substantially completed the negotiations relating to all terms and  
22 require additional time to agree on a final draft before signature;

23           WHEREAS, the Parties are confident that with the extra time requested, the settlement  
24 agreements will be fully executed;

25           WHEREAS, in order to facilitate the remaining settlement negotiations and full execution  
26 (signing) of the settlement agreements, the parties have agreed to extend the deadlines by seven  
27 (7) days (i) for Plaintiff's oppositions to Defendants' motions to dismiss to August 7, 2017, (ii)  
28 for Defendants' replies to August 14, 2017, (iii) to continue the hearing date on Defendants'

1 motions to dismiss to August 24, 2017 at 8:00 a.m, or to such other date as the court has  
2 available; and (iv) request that the Initial Case Management Conference be continued from  
3 August 17, 2017 at 11:00 a.m to a future date, along with the F.R.C.P. Rule 26(f) deadlines;

4 WHEREFORE, pursuant to Civil Local Rule 6-2, the parties stipulate and agree that:

5 1. Plaintiff's time to file its opposition to Defendants' motions to dismiss shall be  
6 extended to **August 7, 2017**;

7 2. Defendants' time to file its replies shall be extended to **August 14, 2017**;

8 3. That the hearing on Defendants' motions to dismiss be continued to **August 24,**  
9 **2017 at 8:00 a.m.**, or to such other date as the Court has available; and

10 4. That the currently scheduled Initial Case Management Conference set for August  
11 17, 2017 at 8:00 a.m., also be continued to **August 24, 2017**, or to such other date as the Court  
12 has available.

13  
14 Dated: July 28, 2017

PHILLIPS, ERLEWINE, GIVEN & CARLIN LLP

15  
16 By /s/ David M. Given  
DAVID M. GIVEN

17 KLARIS LAW PLLC  
18 Edward Klaris (admitted *pro hac vice*)

19 Attorneys for Plaintiff  
POP MIDDLE EAST INC.

20 Dated: July 28, 2017

KEKER, VAN NEST & PETERS LLP

21 By /s/ Benedict Y. Hur  
22 BENEDICT Y. HUR  
JAY RAPAPORT

23 Attorneys for Defendant  
24 POPSUGAR, INC.

25 Dated: July 28, 2017

THE LAW OFFICES OF THOMAS V. CHRISTOPHER

26 By /s/ Thomas V. Christopher  
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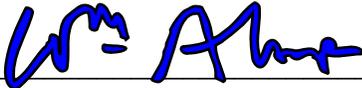
~~PROPOSED~~ ORDER GRANTING STIPULATION

PURSUANT TO STIPULATION, IT IS ORDERED that:

1. Plaintiff's time to file its opposition to Defendants' motions to dismiss shall be extended from July 31, 2017 to **August 7, 2017**;
2. Defendants' time to file its replies shall be extended from August 7, 2017 to **August 14, 2017**;
3. That the hearing on Defendants' motions to dismiss be continued from August 17, 2017 at 8:00 a.m. to **August 24, 2017 at 8:00 a.m.**, ~~or to~~ \_\_\_\_\_;
4. That the Initial Case Management Conference set for August 17, 2017 at 8:00 a.m. be continued to **August 24, 2017**, ~~or to~~ \_\_\_\_\_, along with the F.R.C.P. Rule 26(f) deadlines.

IT IS SO ORDERED.

Dated: July 31, 2017.

  
\_\_\_\_\_  
Hon. William H. Alsup  
United States District Judge