

1 Laura Kabler Oswell (SBN 241281)  
 Daniel A. Loevinsohn (SBN 311807)  
 2 SULLIVAN & CROMWELL LLP  
 1870 Embarcadero Road  
 3 Palo Alto, California 94303  
 Telephone: (650) 461-5600  
 4 Facsimile: (650) 461-5700

5 Garrard R. Beeney  
 SULLIVAN & CROMWELL LLP  
 6 125 Broad Street  
 New York, New York 10004  
 7 Telephone: (212) 558-4000  
 Facsimile: (212) 558-3588

8 *Attorneys for Plaintiff*  
 9 *VIA LICENSING CORPORATION*

10 [*Additional counsel on signature page*]

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

14 VIA LICENSING CORPORATION, )  
 15 )  
 Plaintiff, )  
 16 )  
 v. )  
 17 )  
 HAIER AMERICA TRADING, LLC )  
 18 )  
 Defendant. )  
 19 )  
 20 \_\_\_\_\_ )

Case No. 3:17-cv-03485-RS  
**JOINT STIPULATION AND**  
~~**[PROPOSED]**~~ **ORDER TO STAY**  
**PROCEEDINGS**

1           WHEREAS, on June 15, 2017, Via Licensing Corporation (“Via”) filed a Complaint for  
2 Breach of Contract Seeking Damages and Specific Performance (the “Complaint”) against Haier  
3 America Trading, LLC (“HAT”) in the above-entitled action;

4           WHEREAS, on November 20, 2018, the parties signed a confidential settlement term  
5 sheet (the “Settlement Term Sheet”) and agreed to work together to prepare a formal settlement  
6 agreement consistent with the terms set forth in the Settlement Term Sheet;

7           WHEREAS, among other terms the Settlement Term Sheet requires HAT and related  
8 entities to perform certain obligations on or before December 31, 2018, (collectively, the “Haier 2018  
9 Obligations”);

10           WHEREAS, the Settlement Term Sheet contemplates that within three business days of  
11 performance of the last of the Haier 2018 Obligations, the parties shall file a stipulation of dismissal  
12 without prejudice which shall request that the Court retain jurisdiction to enforce the terms of the  
13 Settlement Term Sheet or, if superseded by a formal settlement agreement, the terms of the formal  
14 settlement agreement;

15           WHEREAS, this case is scheduled for a trial commencing on December 10, 2018, and  
16 there are numerous interim deadlines in connection with this action;

17           NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Via and  
18 HAT, by and through their respective counsel, that:

19           1.       In light of the agreements reached in the Settlement Term Sheet, all proceedings  
20 in the above-captioned action shall be stayed until January 31, 2019, and all currently-set deadlines  
21 vacated, to allow the parties time to prepare a formal settlement agreement, and to allow time for the  
22 performance of the Haier 2018 Obligations;

23           2.       If for some reason, the parties do not file a stipulated dismissal by January 7, the  
24 parties request that the Court set a case management conference at the next earliest available date in  
25 January 2019 to discuss the case and set new deadlines as necessary.

1 Dated: November 21, 2018

/s/ Laura Kabler Oswell

Laura Kabler Oswell (SBN 241281)  
Daniel A. Loevinsohn (SBN 311807)  
SULLIVAN & CROMWELL LLP  
1870 Embarcadero Road  
Palo Alto, California 94303  
Telephone: (650) 461-5600  
Facsimile: (650) 461-5700

Garrard R. Beeney (*pro hac vice*)  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, New York 10004  
Telephone: (212) 558-4000  
Facsimile: (212)558-3588

9 Antonia Stamenova-Dancheva (SBN 268292)  
SULLIVAN & CROMWELL LLP  
1888 Century Park East, Suite 2100  
Los Angeles, California 90067  
Telephone: (310) 712-6600  
Facsimile: (310) 712-8800

13 *Attorneys for Plaintiff VIA LICENSING  
CORPORATION*

15 Dated: November 21, 2018

/s/ Bryan G. Harrison (with permission)

16 Jon L. Rewinski (State Bar No. 116124)  
17 Jamie M. Cheng (State Bar No. 298750)  
LOCKE LORD LLP  
18 300 South Grand Avenue, Suite 2600  
Los Angeles, CA 90071  
19 Telephone: 213.485.1500  
Facsimile: 213.485.1200

20 Bryan G. Harrison (*pro hac vice*)  
21 LOCKE LORD LLP  
Terminus 200, Suite 1200  
22 3333 Piedmont Road, N.E.  
Atlanta, Georgia 30305  
23 Telephone: 404.870.4600  
Facsimile: 404.872.4457

24 *Attorneys for Defendant HAIER AMERICA TRADING,  
25 LLC*

1 In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests that  
2 concurrence in the filing of this document has been obtained from the other signatories above.

3 /s/ Laura Kabler Oswell  
4 Laura Kabler Oswell

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~~PROPOSED~~ ORDER

PURSUANT TO THIS STIPULATION, AND FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

Dated: 11/21/18



The Honorable Richard Seeborg  
United States District Court Judge