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Attorneys for Plaintiff
XPERTUNIVERSE, INC.

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

XPERTUNIVERSE, INC.

Plaintiff,

v.

CISCO SYSTEMS, INC.

Defendant.

Case No. 3:17-cv-03848-RS

**STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING HEARING
ON EARLY MOTIONS FOR
SUMMARY JUDGMENT**

1 Pursuant to Civil L.R. 6-1(b), 6-2(b) and 7-12, Plaintiff XpertUniverse, Inc. (“XU”) and
2 Defendant Cisco Systems, Inc. (“Cisco”), by and through their undersigned counsel, hereby stipulate,
3 subject to the Court’s approval and availability, to continue the Motion Hearing on XU’s Motion for
4 Partial Summary Judgment on Invalidity Collateral Estoppel (Dkt. No. 58) and Cisco’s Motion for
5 Judgment on the Pleadings Under 35 U.S.C. Section 101 (Dkt. No. 60) (the “Hearing”) from April 5,
6 2018 at 1:30 PM to April 12, 2018 at 1:30 PM.

7 Pursuant to the Case Management Scheduling Order entered by the Court on November 14,
8 2017, the Hearing was originally scheduled to proceed on March 29, 2018 at 1:30 PM. (Dkt. No. 52)
9 However, on February 15, 2018, the day the parties filed their respective motions, the Clerk continued
10 the Hearing to April 5, 2018 at 1:30 PM. (Dkt. No. 59). Unfortunately, counsel for Cisco is
11 unavailable on April 5, 2018.

12 On February 16, 2018, the parties met and conferred and agreed, subject to the Court’s
13 approval and availability, to continue the Hearing from April 5, 2018 to April 12, 2018 at 1:30 PM.

14 No previous time modifications have occurred in the case, whether by stipulation or Court
15 order. Moreover, the requested time modification will not impact on any other scheduled deadlines
16 in the case.

17 Dated: February 20, 2018

Respectfully Submitted,

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19 By: /s/ Patrick S. Salceda

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Attorneys for Defendant Cisco Systems, Inc.

Dated: February 20, 2018

By: /s/ K. Lee Marshall

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Attorneys for Plaintiff XpertUniverse, Inc.

1 **~~PROPOSED~~ ORDER**

2 Having considered Plaintiff XpertUniverse, Inc.'s and Defendant Cisco Systems, Inc.'s
3 Stipulation Continuing the Hearing on Early Motions for Summary Judgment, the Court hereby
4 orders as follows:

5 The Court GRANTS the parties Stipulation Continuing the Hearing on Early Motions for
6 Summary Judgment. The Hearing on Early Motions for Summary Judgment will occur on April 12,
7 2018 at 1:30 PM.

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9 **IT IS SO ORDERED.**

10 Dated: 2/20/18

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12 HONORABLE RICHARD SEEBORG
13 United States District Judge
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