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8 Attorneys for Defendant and Counter-Plaintiff
 TRILOGY, LLC

9
 10 IN THE UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 MELIAN LABS INC., a Delaware
 13 corporation,

14 Plaintiff,

15 v.

16 TRILOGY, LLC, a Delaware limited
 17 liability company, and DOES 1-10,

18 Defendants.

19 TRILOGY, LLC, a Delaware limited
 20 liability company, and DOES 1-10,

21 Counter-Plaintiffs,

22 v.

23 MELIAN LABS INC., a Delaware
 24 corporation,

25 Counter-Defendant.

CASE NO. 4:13-cv-04791-SBA

**STIPULATION AND ORDER
 EXTENDING DEADLINE TO COMPLETE
 MEDIATION**

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1 **STIPULATION AND ORDER**

2 This stipulation is entered into by and between Plaintiff and Counter-Defendant Melian
3 Labs Inc. (“Melian”) and Defendant and Counter-Plaintiff Triology, LLC (“Triology”) by and
4 through their respective attorneys of record, with reference to the following facts:

5 1. For the reasons set forth below, and subject to the approval of the Court, the
6 Parties stipulate and request that the Court order an extension of the deadline to complete
7 mediation in this matter to April 30, 2014. Good cause and the background for this request is set
8 forth below:

9 2. On December 30, 2013, this Court issued its Order Granting Stipulation of
10 Mediation under A.D.R. L.R. 6 as the Parties’ selected ADR process. The presumptive deadline
11 to hold the ADR session is March 31, 2014.

12 3. On January 14, 2014, this Court notified the Parties that the mediator assigned to
13 this case is Mr. William N. Hebert of Calvo, Fisher & Jacob LLP (the “Mediator”).

14 4. Following receipt of the Court’s December 30, 2013 Order and January 14, 2014
15 Notice, the Parties met and conferred several times in January and February 2014 to agree upon
16 the Mediator and a date for a mediation. The Parties and the Mediator agreed to conduct the
17 mediation on February 24, 2014 (the “Mediation”), and all Parties agreed to appear in person and
18 with their respective counsel.

19 5. On or about February 21, 2014, Triology’s counsel received an urgent message
20 from Triology’s President, Jon Eaves (“Mr. Eaves”), in which Mr. Eaves notified counsel that his
21 mother had been placed in intensive care in Australia, and that he was unable to appear in person
22 for the Mediation as scheduled.

23 6. On February 21, 2014, Triology promptly informed Melian and the Mediator of
24 the unexpected change in circumstances. The Mediation was cancelled and the Parties and the
25 Mediator agreed to reschedule the Mediation.

26 7. The Parties and the Mediator met and conferred in February 2014 and agreed to
27 reschedule the Mediation for March 18, 2014 so that all Parties and their counsel could appear in
28 person.

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Dated: March 3, 2014

Respectfully submitted,
THE TAILLIEU LAW FIRM LLP

By: /s/ Raffi V. Zerounian
RAFFI V. ZEROUNIAN

Attorneys for Plaintiff and Counter-
Defendant
MELIAN LABS INC.

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ATTESTATION OF CONCURRENCE IN FILING

Pursuant to Local Rule 5-1(i)(3), the filer hereby attests that concurrence in the filing of this document has been obtained from Raffi V. Zerounian which shall serve in lieu of his signature on the document.

Dated: March 3, 2014

DLA PIPER LLP (US)

By: /s/ Shannon Mo
GINA DURHAM
SHANNON MO
AMANDA MORGAN

Attorneys for Defendant and Counter-
Plaintiff
TRIOLOGY, LLC

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ORDER

Based on the foregoing stipulation of the Plaintiff and Counter-Defendant, and the Defendant and Counter-Plaintiff, and good cause appearing therefor,

IT IS HEREBY ORDERED THAT:

The deadline to complete the mediation in this matter is extended to April 30, 2014.

DATED: 3/5/2014

By: *Sandra B. Armstrong*
The Honorable Sandra Brown Armstrong
United States District Judge