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Attorneys for Defendant
 CROSSROADS SYSTEMS, INC.

8
 9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **OAKLAND DIVISION**

12 NETAPP, INC.

13 Plaintiff,

14 v.

15 CROSSROADS SYSTEMS, INC.,

16 Defendant.

Case No.: 4:14-cv-01727-JSW

**SECOND STIPULATION AND
 [PROPOSED] ORDER TO FURTHER
 EXTEND BRIEFING SCHEDULE
 REGARDING CROSSROADS'
 MOTION TO DISMISS AND TO
 ENLARGE TIME FOR NETAPP TO
 RESPOND TO CROSSROADS'
 COUNTERCLAIMS PURSUANT TO
 CIVIL L.R. 6-2 AS MODIFIED**

Honorable Jeffrey S. White

1 Plaintiff and Counter-Defendant NetApp, Inc. (“NetApp”) and Defendant and Counter-
2 Claimant Crossroads Systems, Inc. (“Crossroads”), hereby stipulate, pursuant to Civil L.R. 6-2, to a
3 further enlargement of time for NetApp to respond to Crossroads’ Counterclaims and to extend the
4 briefing schedule relative to Crossroads’ Motion to Dismiss or In the Alternative, Transfer Venue.
5 An further enlargement of time and a short extension of the briefing schedule is necessary and
6 appropriate for the following reasons:

7 WHEREAS, the Court, finding good cause, previously granted the parties’ Stipulation to
8 enlarge the time for NetApp to respond to Crossroads’ Counterclaims and to extend the briefing
9 schedule relative to Crossroads’ Motion to Dismiss or In the Alternative, Transfer Venue. *See* Dkt.
10 23.

11 WHEREAS, the parties continue to meet and confer in an effort to resolve this litigation. To
12 facilitate those discussions, the most recent of which occurred May 29, 2014, and to avoid what may
13 become unnecessary pleading and motion practice, the parties seek an additional two day extension
14 of time for the following deadlines:

- 15 • NetApp’s response to Crossroads’ Counterclaims shall be extended from June 3, 2014
16 to June 5, 2014;
- 17 • NetApp’s opposition to Crossroads’ Motion to Dismiss or In the Alternative, Transfer
18 Venue shall be extended from June 3, 2014 to June 5, 2014; and
- 19 • Crossroads’ reply in support of its Motion to Dismiss or In the Alternative, Transfer
20 Venue shall be extended from June 17, 2014 to June 19, 2014.

21 WHEREAS, the requested extension of time will have no effect on the schedule for this case.

IT IS THEREFORE STIPULATED AND AGREED AS FOLLOWS:

- 22 1. NetApp’s deadline to respond to Crossroads’ Counterclaims shall be extended from
23 June 3, 2014 to June 5, 2014;
- 24 2. NetApp’s deadline to file an opposition to Crossroads’ Motion to Dismiss or In the
25 Alternative, Transfer Venue shall be extended from June 3, 2014 to June 5, 2014;
- 26 3. Crossroads’ reply in support of its Motion to Dismiss or In the Alternative, Transfer
27 Venue shall be extended from June 17, 2014 to June 19, 2014; and
28

1 4. The hearing on Crossroads’ Motion to Dismiss or In the Alternative, Transfer Venue
2 shall remain June 27, 2014.

3 **IT IS SO STIPULATED:**

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5 Dated: May 30, 2014

Respectfully submitted,

6 By: /s/ Karineh Khachatourian
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11 Attorneys for Plaintiff
12 NETAPP, INC.

13 Dated: May 30, 2014

Respectfully submitted,

14 By: /s/ Russell T. Wong
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20 CROSSROADS SYSTEMS, INC.

21 **ATTESTATION**

22 In accordance with Civil L.R. 5-1(i)(3), the filer of this document hereby attests that
23 concurrence in the filing of this document has been obtained from the other signatory hereto.
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25 Respectfully submitted,

26 By: /s/ Karineh Khachatourian
Karineh Khachatourian

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PROPOSED ORDER

Based upon the foregoing Stipulation and good cause appearing, IT IS SO ORDERED:

1. NetApp’s deadline to respond to Crossroads’ Counterclaims shall be extended from June 3, 2014 to June 5, 2014;
2. NetApp’s deadline to file an opposition to Crossroads’ Motion to Dismiss or In the Alternative, Transfer Venue shall be extended from June 3, 2014 to June 5, 2014;
3. Crossroads’ reply in support of its Motion to Dismiss or In the Alternative, Transfer Venue shall be extended from June 17, 2014 to June 19, 2014; and
4. The hearing on Crossroads’ Motion to Dismiss or In the Alternative, Transfer Venue shall ~~remain June 27, 2014 to~~ shall be continued to July 11, 2014 at 9:00 a.m.

DATED: June 2 _____, 2014



 Hon. Jeffrey S. White
 United States District Court Judge