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 Coho Licensing LLC

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

12 COHO LICENSING LLC, a Delaware  
 company,

13 Plaintiff,

14 v.

15 AOL, INC., a Delaware corporation,

16 Defendant.

Case No. C 14-02127-JSW

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO SET AN EARLIER HEARING  
 DATE OF SEPTEMBER 26, 2014 ON  
 DEFENDANT'S MOTION TO STAY  
 PENDING *INTER PARTES* REVIEW**

Date: October 10, 2014  
 Time 9:00 A.M.  
 Place: Courtroom 5, 2nd Floor  
 Judge: Jeffrey S. White

1 Plaintiff Coho Licensing LLC (“Coho Licensing”) and Defendant AOL, Inc. (“AOL”)  
2 hereby stipulate and agree through their respective counsel of record, pursuant to Civil Local  
3 Rules 7-11 and 7-12, and this Court’s Standing Order No. 4, as follows:

4 WHEREAS, AOL filed a Motion to Stay Pending *Inter Partes* Review in a related case  
5 between the parties on August 15, 2014 (Case No. 14-1578-JSW, Dkt. No. 36; hereinafter, the  
6 “First Motion to Stay”);

7 WHEREAS, AOL also sought to stay the above-captioned action in that First Motion to  
8 Stay (*see, e.g.*, First Motion to Stay at 1, Notice of Motion);

9 WHEREAS, the Court set a hearing date of September 26, 2014 on AOL’s First Motion to  
10 Stay (Case No. 14-1578-JSW, Dkt. No. 37 at 1);

11 WHEREAS, all other Defendants in the related *Coho Licensing* cases have also noticed  
12 similar motions to stay for September 26, 2014 (*Coho Licensing LLC v. Glam Media Inc. and*  
13 *Ning Inc.*, 14-cv-1576, Dkt. No. 60; *Coho Licensing LLC v. LinkedIn Corp.*, 14-cv-1577, Dkt.  
14 No. 57; *Coho Licensing LLC v. Rovi Corporation*, 14-cv-1579, Dkt. No. 55; *Coho Licensing LLC*  
15 *v. Twitter Inc.*, 14-cv-2718, Dkt. No. 45; *Coho Licensing LLC v. Glam Media Inc. and Ning Inc.*,  
16 14-cv-2128, Dkt. No. 35; *Coho Licensing LLC v. LinkedIn Corp.*, 14-cv-2131, Dkt. No. 33; *Coho*  
17 *Licensing LLC v. Rovi Corporation*, 14-cv-2130, Dkt. No. 34; and *Coho Licensing LLC v.*  
18 *Twitter, Inc.*, 14-cv-2132, Dkt. No. 30);

19 WHEREAS, all motions to stay pending before this Court in the related cases are based on  
20 the petitions for *inter partes* review that AOL recently filed against all claims of all patents-in-  
21 suit;

22 WHEREAS, pursuant to the Court’s August 26, 2014 Order (Case No. 14-1578-JSW,  
23 Dkt. No. 37 at 1), AOL filed a Motion to Stay Pending *Inter Partes* Review in the above-  
24 captioned case on August 27, 2014 (Dkt. No. 34; hereinafter, “Second Motion to Stay”);

25 WHEREAS, AOL’s Second Motion to Stay is currently noticed for hearing on October  
26 10, 2014, which was the Court’s first available date for a noticed motion in this case;

1 WHEREAS, AOL's Second Motion to Stay is substantively identical to AOL's First  
2 Motion to Stay, and the motions seek to stay both related cases against AOL (Case Nos. 14-1578-  
3 JSW and 14-2127-JSW) pending *inter partes* review of the patents-in-suit;

4 WHEREAS, Coho Licensing's response to the Second Motion to Stay is due by  
5 September 10, 2014, and AOL's reply is due by September 17, 2014;

6 IT IS HEREBY STIPULATED AND REQUESTED that the Court reset the hearing date  
7 for AOL's Second Motion to Stay, filed in above-captioned case (Dkt. No. 34), to coincide with  
8 the September 26, 2014 hearing date for all the other pending motions to stay, including AOL's  
9 First Motion to Stay. Good cause supports this stipulation and request because (1) the motions to  
10 stay pending in the related cases all concern the same issue, (2) the briefing on AOL's First  
11 Motion to Stay will be virtually identical to the briefing on AOL's Second Motion to Stay, and  
12 (3) it would conserve the resources of the Court and the parties to hear all of these related motions  
13 to stay on September 26, 2014.

14 DATED: August 28, 2014

PERKINS COIE LLP

15  
16 By:           /s/ Christopher Kao            
Christopher Kao

17 Attorneys for Defendant  
18 AOL, Inc.

19 DATED: August 28, 2014

FERRAIUOLI LLC

20  
21 By:           /s/ Jean G. Vidal-Font            
Jean G. Vidal-Font

22 Attorneys for Plaintiff  
23 Coho Licensing LLC

1 I, Christopher Kao, hereby attest, pursuant to Civil L.R. 5-1(i)(3), that the concurrence to  
2 the filing of this document has been obtained from each signatory hereto.

3 DATED: August 28, 2014

PERKINS COIE LLP

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By:                     /s/ Christopher Kao                      
Christopher Kao

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Attorneys for Defendant  
AOL, Inc.

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~~PROPOSED~~ ORDER

PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, AND WITH  
GOOD CAUSE APPEARING, IT IS ORDERED THAT:

The hearing date for Defendant AOL, Inc.'s Motion to Stay in this case is set for  
September 26, 2014. The opposition or statement of non-opposition shall be filed by no later than  
September 8, 2014. The reply, if any, shall be filed by no later than September 12, 2014.

DATED: September 2, 2014

  
Hon. Jeffrey S. White  
United States District Judge