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6  
 7 **UNITED STATES DISTRICT COURT**  
 8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 9 **OAKLAND DIVISION**

10 Case No. 4:15-cv-04086-JSW

11 VIA LICENSING CORPORATION,

12 Plaintiff,

13 v.

14 PEGATRON CORPORATION, et al.,

15 Defendants.

**STIPULATION AND  
 [PROPOSED] ORDER TO RESCHEDULE  
 INITIAL CASE MANAGEMENT  
 CONFERENCE AND RELATED DATES**

DATE: December 11, 2015  
 TIME: 11:00 AM  
 COURTROOM: Courtroom 5  
 The Honorable Jeffrey S. White

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 18 **THE PARTIES HEREBY STIPULATE AS FOLLOWS:**

19 **WHEREAS** Plaintiff Via Licensing Corporation filed its Complaint for Breach of  
 20 Contract, Specific Performance, and Promissory Fraud on September 8, 2015 (the "Complaint",  
 21 Dkt. No. 1);

22 **WHEREAS** Defendants Pegatron Corporation, Pegatron Technology Service Inc., and  
 23 Unihan Corporation accepted and acknowledged service of the Summons and Complaint on  
 24 September 22, 2015 (Dkt. Nos. 9-11);

25 **WHEREAS** on October 30, 2015, Magistrate Judge Joseph C. Spero granted the Parties'  
 26 Stipulation to allow the Defendants until December 15, 2015, to answer or otherwise respond to  
 27 the Complaint (Dkt. No. 13);  
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1 WHEREAS this Court issued an Order Setting Status Conference And Requiring A Joint  
2 Case Management Conference Statement on November 17, 2015, setting the Initial Case  
3 Management Conference for December 11, 2015 (Dkt. No. 17);

4 WHEREAS lead counsel for Defendants are previously scheduled to defend depositions in  
5 Taipei, Taiwan, on December 7-11, 2015, in another matter and it would cause substantial  
6 prejudice to counsel's other clients if counsel were not available to defend those depositions;

7 WHEREAS travel arrangements have been made for Court Reporters, Translators and  
8 opposing counsel in that case to travel to Taiwan from the United States for the purpose of taking  
9 those depositions;

10 WHEREAS counsel for Defendants has discussed this scheduling conflict with counsel for  
11 Plaintiff and counsel for both Parties have agreed to ask this Court to reschedule the Initial Case  
12 Management Conference and related deadlines by one week to accommodate the previously  
13 scheduled depositions;

14 WHEREAS, other than the extension granted to respond to the Complaint, no other time  
15 modifications have been requested in this case;

16 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Plaintiff  
17 and Defendants, by and through their respective counsel, pursuant to Local Rules 7-12 and 16-  
18 2(d), AND THE PARTIES RESPECTFULLY REQUEST that:

- 19 1. The Initial Case Management Conference in this case be rescheduled from December  
20 11, 2015, to December 18, 2015, at 11:00 A.M., in Courtroom 5, 2<sup>nd</sup> Floor, Federal  
21 Courthouse, 1301 Clay Street, Oakland, California.
- 22 2. The Parties shall file their Joint Case Management Conference Statement no later than  
23 five (5) court days prior to the conference.

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Dated: November 19, 2015

By: /s/ Ronald S. Lemieux  
Ronald S. Lemieux (CA Bar No. 120822)  
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Attorneys for Defendants  
PEGATRON CORPORATION, PEGATRON  
TECHNOLOGY SERVICE INC., AND UNIHAN  
CORPORATION

In accordance with General Order No. 45, Rule X, the above signatory attests that concurrence in the filing of this document has been obtained from the signatory below.

Dated: November 19, 2015

By: /s/ Laura Kabler Oswell  
Laura Kabler Oswell (CA Bar No. 241281)  
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Attorneys for Plaintiff  
VIA LICENSING CORPORATION

\* \* \*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 24, 2015

  
The Hon. Jeffrey S. White  
United States District Court Judge