

1 DOMINIC V. SIGNOROTTI, CA Bar No. 267712
 2 dsignorotti@bpbsllp.com
 3 BUCHMAN PROVINE BROTHERS SMITH LLP
 4 2033 N. Main Street, Suite 720
 5 Walnut Creek, California 94596
 6 Telephone: 925 944 9700
 7 Facsimile: 925 944 9701

8 *Attorneys for Plaintiff*

9 OTTO O. LEE, CA Bar No. 173987
 10 olee@iplg.com
 11 KEVIN VIAU, CA Bar No. 275556
 12 kviau@iplg.com
 13 INTELLECTUAL PROPERTY LAW GROUP LLP
 14 12 South First Street, 12th Floor
 15 San Jose, California 95113
 16 Telephone: (408) 286-8933
 17 Facsimile: (408) 286-8932

18 *Attorneys for Defendant*

19 **IN THE UNITED STATES DISTRICT COURT**
 20 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 21 **OAKLAND DIVISION**

22 MYSFYT, INC., a California corporation,

23 Plaintiff/Counterdefendant,

24 v.

25 JAMES LUM, an individual,

26 Defendant/Counterclaimant.

Case No.: 16-CV-03813-KAW

**STIPULATION TO STAY PROCEEDINGS
 PENDING SETTLEMENT;
 [PROPOSED] ORDER**

27 WHEREAS, Plaintiff/Counterdefendant Mysfyt, Inc. (“Plaintiff” and “Mysfyt”) and
 28 Defendant/Counterclaimant James Lum (“Defendant” and “Lum”) (collectively the “Parties”) have
 reached an agreement in principle for a settlement of this action;

WHEREAS, the Parties are continuing the process of finalizing a written settlement
 agreement;

WHEREAS, the Parties twice previously stipulated to stay proceedings for settlement (Dkt.
 Nos. 38 and 40), and the Court ordered such stays (Dkt. Nos. 39 and 41).

1 WHEREAS, the Parties require additional time to finalize a full settlement, and anticipate
2 the process to finalize settlement will be completed within thirty (30) days;

3 WHEREAS, a Further Case Management Conference is scheduled to take place on June 27,
4 2017 at 1:30pm, with a Further Case Management Statement due June 20, 2017.

5 WHEREAS, the Parties believe full settlement is very imminent, and wish not to burden the
6 Court with unnecessary proceedings while the settlement process is completed.

7 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the
8 Parties, through their undersigned counsel, that the action be stayed for an additional period of thirty
9 (30) days pending the finalization of the settlement agreement, and that the Further Case
10 Management Conference scheduled on the Court's June 27, 2017 calendar be moved to August 1,
11 2017, with the Further Case Management Statement to be filed by July 25, 2017.

12 IT IS SO STIPULATED AND AGREED.

13 Respectfully submitted,

14 Dated: June 19, 2017

INTELLECTUAL PROPERTY LAW GROUP LLP

15 By: /s/ Otto O. Lee

16 Otto O. Lee
17 Kevin Viau
18 12 South First Street, 12th Floor
19 San Jose, California 95113
20 Telephone: (408) 286-8933
21 Facsimile: (408) 286-8932

Attorneys for Defendant

22 Dated: June 19, 2017

BUCHMAN PROVINE BROTHERS SMITH LLP

23 By: /s/ Dominic V. Singrotti *

24 Dominic V. Signorotti
25 2033 N. Main Street, Suite 720
26 Walnut Creek, California 94596
27 Telephone: 925 944 9700
28 Facsimile: 925 944 9701

Attorneys for Plaintiff

* Pursuant to Local Rule 5-1(i)(3), filing counsel attests that all other signatories listed, on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 6/20/17

Kandis Westmore
UNITED STATES MAGISTRATE JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28