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 STANCE BEAUTY LABS, LLC and
 6 BURLINGTON COAT FACTORY
 OF TEXAS, INC.
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10 IN THE UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION

13 OLIVIA GARDEN, INC., a California
 14 Corporation

15 Plaintiff,

16 v.

17 STANCE BEAUTY LABS, LLC, a
 Connecticut Limited Liability Company;
 18 BURLINGTON COAT FACTORY OF
 TEXAS, INC., a Delaware corporation; and
 19 DOES 1 through 25, inclusive,

20 Defendants.
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Case No. 4:17-cv-05778-HSG

**STIPULATION AND ORDER
 CONTINUING CASE MANAGEMENT
 CONFERENCE AND MOTION TO
 DISMISS HEARING**

Date: May 17, 2018
 Time: 2:00 p.m.
 Dept: Courtroom 2, 4th Floor
 Hon. Haywood S. Gilliam, Jr.

1 WHEREAS, the parties have been in settlement discussions and seek to continue the date
2 of the Case Management Conference (“CMC”) and the hearing date for Stance Beauty Labs,
3 LLC’s Motion to Dismiss for Improper Venue, both currently scheduled for May 17, 2018, in
4 order to provide more time to confer.

5 WHEREAS, the parties have stipulated to continuing the CMC and motion hearing to July
6 12, 2018, and request that the Court enter an order continuing the CMC and motion hearing, with
7 the hope of reaching an agreeable settlement.

8 WHEREAS, continuing the CMC and motion hearing would allow the parties to focus on
9 settlement discussions by delaying various obligations and deadlines triggered by the CMC, as
10 proscribed in the Patent Local Rules.

11 WHEREAS, on December 5, 2017, Magistrate Judge Susan Van Keulen granted a
12 stipulated continuance of the Initial Case Management Conference from January 9, 2018 until
13 March 13, 2018. *See* Dkt. No. 23.

14 WHEREAS, on March 6, 2018, the parties filed a Joint Case Management Statement. *See*
15 Dkt. No. 43.

16 WHEREAS, on March 12, the Court continued the date of the CMC previously set for
17 March 13, 2018 to May 17, 2018. *See* Dkt. No. 48.

18 WHEREAS the parties have met and conferred, and agree to continue the CMC and
19 motion hearing from May 17, 2018 until July 12, 2018.

20 NOW THEREFORE, the undersigned parties hereby stipulate and agree, and respectfully
21 request, that the Court enters an order as follows:

- 22 1. The May 17, 2018 CMC and motion hearing is continued until July 12, 2018.
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1 Dated: May 7, 2018

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GUICHARD, TENG, PORTILLO &
GARRETT, A.P.C.

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Attorneys for Plaintiff
Olivia Garden, Inc.

Attorneys for Defendants
Stance Beauty Labs, LLC and
Burlington Coat Factory of Texas, Inc.

SIGNATURE ATTESTATION

I, L. Scott Oliver, am the ECF User whose identification and password are being used to file the foregoing Stipulation and [Proposed] Order Continuing Case Management Conference and Motion to Dismiss Hearing. Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the filing of this document has been obtained.

DATED: May 7, 2018

/s/ L. Scott Oliver
L. Scott Oliver

Attorneys for Defendants
Stance Beauty Labs, LLC and
Burlington Coat Factory of Texas, Inc.


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ORDER

Pursuant to the above Joint Stipulation and good cause appearing, the Case Management Conference and motion are continued from May 17, 2018 to July 19, 2018.

IT IS SO ORDERED.

Dated: May 7, 2018


Hon. Haywood S. Gilliam, Jr.
UNITED STATES DISTRICT JUDGE