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 12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

16 MEDIOSTREAM, INC.,

17 Plaintiff,

18 v.

19 MPEG LA, L.L.C.,

20 Defendant.

Case No. 10-CV-05979 EJD

**STIPULATION AND ~~PROPOSED~~
 ORDER RESETTING HEARING
 ON DEFENDANT'S MOTION TO
 DISMISS AND INITIAL CASE
 MANAGEMENT CONFERENCE**

Judge: Honorable Edward J. Davila

Hearing Date: September 16, 2011

Time: 9:00 a.m.

Courtroom: 1

1 **STIPULATION AND ~~PROPOSED~~ ORDER**

2 Plaintiff MedioStream, Inc. (“MedioStream”) and Defendant MPEG
3 LA, L.L.C. (“MPEG LA”) (collectively, the “Parties”), by and through their
4 undersigned counsel, hereby agree and stipulate as follows:

5 **AGREEMENT**

6 1. MedioStream filed its Complaint for Declaratory Relief and
7 Breach of Contract on December 30, 2010 (“Complaint”). (Dkt. #1.)

8 2. After MedioStream declined to proceed before a magistrate
9 judge, this matter was assigned to District Court Judge Jeremy D. Fogel on
10 February 1, 2011. (Dkt. #8.)

11 3. MedioStream served its Complaint on MPEG LA on March 9,
12 2011.

13 4. On March 20, 2011, MPEG LA timely moved to dismiss the
14 Complaint, and noticed the hearing for June 10, 2011. (Dkt. #10.) The initial case
15 management conference in this matter was also scheduled for June 10, 2011.
16 (Dkt. #19.)

17 5. On April 25, 2011, this matter was reassigned to the Honorable
18 Edward J. Davila. (Dkt. #20.)

19 6. On April 29, 2011, the Court reset the hearing on the motion to
20 dismiss as well as the initial case management conference for September 2, 2011.
21 (Dkt. # 21.)

22 7. Counsel for MPEG LA is not available on September 2, 2011,
23 and, accordingly, inquired with the Court and received the available dates and
24 times which the Court may hear these matters.

25 **STIPULATION**

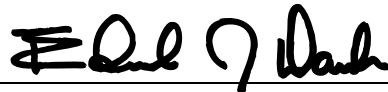
26 1. The Parties agree to reset the case management conference and
27 motion to dismiss currently set for September 2, 2011 to September 16, 2011 at
28 9:00 a.m., or as soon thereafter as these matters may be heard by the Court.

ORDER

For good cause this Court HEREBY ORDERS that the hearing on Defendant MPEG LA's motion to dismiss and the initial case management conference of the Parties be reset from September 2, 2011 to September 16, 2011 at 9:00 a.m. and 10:00 a.m respectively.

IT IS SO ORDERED.

DATED: May 17, 2011



THE HON. EDWARD J. DAVILA
UNITED STATES DISTRICT COURT JUDGE

Dated: May 12, 2011

/s/ Michael H. Steinberg

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Dated: May 12, 2011

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