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8 Counsel for San Francisco Technology Inc.

9 United States District Court  
 Northern District of California, San Jose Division

10 San Francisco Technology Inc.

Case No. 5:11-cv-01375-JF-PSG

11 Plaintiff

**Stipulation and [Proposed] Order to Continue Motion  
 Hearing to Allow Time For Settlement**

12 vs.

13 Sterling International Inc.

Date: July 8, 2011  
 Time: 9:00 a.m.  
 Room: Courtroom 3, 5th Floor  
 Judge: Jeremy Fogel

14 Defendant

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1 The parties stipulate and request that the court enter an order as follows:

2 1. The parties have reached a settlement which would result in the dismissal of this case  
3 and avoid the need for motion practice. The parties request a continuance of the motion hearing to  
4 allow time for a formal settlement agreement to be executed.

5 2. Defendant Sterling International Inc. filed a motion to dismiss (Docket No. 5) on May  
6 6, 2011 which remains pending. The court is currently scheduled to hear that motion on Friday, July  
7 8, 2011 at 9:00 a.m.

8 3. The parties request that the court continue the motion hearing to allow time for the  
9 parties to execute a formal written settlement agreement and dismiss this case. The parties request  
10 that the court continue the motion hearing to its next available hearing date, but in no event before  
11 July 22, 2011.

12 In accordance with General Order 45.X.B., Benjamin R. Lemke, counsel for SF Tech, attests  
13 that each other signatory listed below has concurred in this filing.

14 Date: July 7, 2011

Mount, Spelman & Fingerman, P.C.,  
\_\_\_\_\_  
/s/ Benjamin R. Lemke  
Counsel for San Francisco Technology Inc.

16 Date: July 7, 2011

Abbey, Weitzenberg, Warren & Emery  
\_\_\_\_\_  
/s/ Mitchell Bruce Greenberg  
Counsel for Sterling International Inc.

18 Pursuant to stipulation, it is so ordered.

19 Date: 7/7/11

  
\_\_\_\_\_  
Jeremy Fogel, U.S. District Judge

