

1 HERRICK, FEINSTEIN LLP
David Feuerstein (admitted *pro hac vice*)
E-mail: dfeuerstein@herrick.com
2 Marisa Leto (admitted *pro hac vice*)
E-mail: mletto@herrick.com
3 Jessica Natbony (admitted *pro hac vice*)
E-mail: jnatbbony@herrick.com
4 2 Park Avenue
New York, New York 10016
5 Telephone: (212) 592-1400

6 KAWAHITO SHRAGA & WESTRICK LLP
David R. Shraga (SBN 229098)
7 E-mail: dshraga@kswlawyers.com
1990 S. Bundy Dr., Ste. 280
8 Los Angeles, California 90025
Phone: (310) 746-5300
9 Facsimile: (310) 593-2520

10 Attorneys for Plaintiff ENKI Corporation
11
12

13 **IN THE UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN JOSE DIVISION**

16 ENKI CORPORATION (f/k/a ENKI,
17 LLC)

18 Plaintiff,

19 vs.

20 KEITH FREEDMAN, an individual,
21 FREEFORM TECHNOLOGIES, LLC,
22 a California limited liability company;
23 ZUORA, INC., a corporation of
24 unknown origin; and DOES 1 through
100,

25 Defendants.
26
27

Case No.: 5:13-cv-02201-PSG

**JOINT STATUS CONFERENCE
STATEMENT AND REQUEST FOR
BRIEF CONTINUANCE OF
CONFERENCE (PENDING
SUBSTITUTION OF NEW
COUNSEL)**

1 Plaintiff ENKI Corporation and Defendants Keith Freedman and FreeForm
2 Technologies, LLC ("Freedman Defendants"), by and through their respective
3 counsel of record, hereby submit this joint status conference statement and request
4 for a brief continuance:

5 1. After this case was originally filed Plaintiff and one of the named
6 Defendants, Zuora, Inc., agreed to arbitrate certain of their claims. The parties
7 agreed to defer further prosecution of the matter in Federal Court pending the
8 outcome of this arbitration.

9 2. The arbitration has now been resolved and Plaintiff and Zuora, Inc. have
10 recently filed dismissals with prejudice of the asserted claims against each other.

11 3. The only parties to the case now are Plaintiff and the Freedman
12 Defendants.

13 4. However, Plaintiff intends to substitute new counsel imminently and is
14 in the process of engaging them. Due to the holiday season, however, Plaintiff
15 was not able to finalize this process prior to the deadline to file this statement.

16 5. Plaintiff therefore requests that the Court continue the currently pending
17 January 6, 2015 status conference by a period of 30 days to allow time for
18 Plaintiff to engage and substitute in new counsel.

19 6. This continuance is necessary so the new counsel can evaluate the
20 matter, meet and confer with Defendants' counsel, and then advise the Court of
21 Plaintiff's intentions and requests concerning scheduling moving forward.

22 7. The Parties believe it would be inefficient for Plaintiff's current counsel
23 to engage in this process with opposing counsel now or address any scheduling
24 issues with the Court given that new counsel will be appearing shortly.

25 8. The Freedman Defendants have agreed to the requested continuance.
26
27
28

