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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN JOSE COURTHOUSE**

13 ML, INC., )

14 Plaintiff, )

15 v. )

16 CISCO WEBEX LLC. )

17 Defendant. )  
18 )  
19 )  
20 )

**Case No. 5:13-CV-04987-BLF-PSG**

**NOTICE OF SETTLEMENT AND  
STIPULATION AND ~~PROPOSED~~  
ORDER VACATING PENDING DATES**

1 The Parties hereby notify the Court that this matter has settled, that they are in the process of  
2 finalizing settlement documentation, and thereafter will seek dismissal of this case with prejudice.

3 WHEREAS, Defendant Cisco WebEx LLC (“WebEx”) filed its Motion to Dismiss the  
4 Second Amended Complaint (“Motion to Dismiss,” Docket Entry No. 63) on June 27, 2014;

5 WHEREAS, WebEx noticed the Motion to Dismiss for August 14, 2014;

6 WHEREAS, Plaintiff ML, Inc.’s deadline to oppose the Motion to Dismiss is July 11, 2014;

7 WHEREAS, the Court ordered the Parties to complete ADR by July 30, 2014 (DE 62);

8 WHEREAS, each of the following is rendered unnecessary because the parties have settled:  
9 (1) further briefing on the Motion to Dismiss; (2) a hearing on the Motion to Dismiss; and (3)  
10 completion of ADR;

11 THEREFORE IT IS STIPULATED AND HEREBY AGREED:

12 1. The July 11, 2014 deadline for filing an opposition to WebEx’s Motion to Dismiss  
13 (DE 63) should be vacated.

14 2. The July 30, 2014 deadline for completing ADR (as set by order in DE 62) should be  
15 vacated.

16 3. The August 14, 2014 hearing date for WebEx’s Motion to Dismiss (DE 63) should be  
17 vacated.

18 Dated: July 11, 2014

WINSTON & STRAWN LLP

19  
20 By: /s/ Krista M. Enns  
21 Krista M. Enns  
22 Yelitza V. Dunham  
23 Scotia J. Hicks  
Attorneys for Defendant  
CISCO WEBEX LLC

24 Dated: July 11, 2014

BALLON STOLL BADER & NADLER, P.C.

25  
26 By: /s/ Evan E. Richards  
27 Marshall B. Bellovin  
28 Evan E. Richards  
Attorneys for Plaintiff  
ML, INC.

1 **LOCAL RULE 5-1 ATTESTATION**

2 I, Krista M. Enns, am the ECF User whose ID and password was used to file this NOTICE  
3 OF SETTLEMENT AND STIPULATION AND [PROPOSED] ORDER VACATING DATES . In  
4 compliance with Local Rule 5-1(i)(3), I hereby attest that Evan E. Richards, counsel for Plaintiff,  
5 concurred in this filing.  
6

7 Dated: July 11, 2014

By: /s/ Krista M. Enns  
Krista M. Enns

9  
10 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

11 The July 11, 2014 deadline to respond to Defendant’s Motion to Dismiss, the August 14,  
12 2014 hearing on Defendant’s Motion to Dismiss, and the July 30, 2014 deadline to complete ADR  
13 are all hereby VACATED pursuant to the parties’ stipulation.

14 The Case Management Conference in this case remains scheduled for August 14, 2014 at  
15 1:30 p.m. in Courtroom 3, 5th Floor, San Jose Courthouse. On or before August 7, 2014, the parties  
16 shall file a stipulation of dismissal or a joint case management conference statement.  
17

18 IT IS SO ORDERED.

19 Dated: July 16, 2014

20   
21 BETH LABSON FREEMAN  
United States District Judge  
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