

1 Michael E. Zeliger (SBN 271118)
 michael.zeliger@klgates.com
 2 Jackson Ho (SBN 270695)
 jackson.ho@klgates.com
 3 Ranjini Acharya (SBN 290877)
 ranjini.acharya@klgates.com
 4 K&L GATES LLP
 630 Hansen Way
 5 Palo Alto, CA 94304
 Telephone: 650.798.6700
 6 Facsimile: 650.798.6701

7 David A. Simons (*pro hac vice*)
 david.simons@klgates.com
 8 K&L GATES LLP
 One Lincoln Street
 9 Boston, MA 02111
 Telephone: 617.261.3100
 10 Facsimile: 617.261.3175

11 Attorneys for Defendants AUCTIVA
 CORPORATION and VENDIO SERVICES, INC.

12 *[Additional counsel listed on signature page]*
 13

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN JOSE DIVISION

17 AUCTION ACCELERATION CORP.,
 18 Plaintiff,
 19 v.
 20 EBAY, INC., and AUCTIVA CORPORATION,
 21 Defendants.

Case No. 5:14-CV-04045 EJD
 Case No. 5:14-CV-04046 EJD

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO CONTINUE CASE
 MANAGEMENT CONFERENCE
 PENDING SETTLEMENT**

Date: April 30, 2015
 Time: 10:00 a.m.
 Judge: Hon. Edward J. Davila
 Courtroom: 4

22 AUCTION ACCELERATION CORP.,
 23 Plaintiff,
 24 v.
 25 EBAY, INC., and VENDIO SERVICES, INC.,
 26 Defendants.
 27

1 Pursuant to Civ. L.R. 6-2, Plaintiff Auction Acceleration Corp. and Defendants eBay Inc.,
2 Auctiva Corporation, and Vendio Services, Inc. by and through their attorneys of record, enter into
3 this Stipulation and Proposed Order to Continue the Case Management Conference currently set for
4 Thursday, April 30, 2015 at 10:00 a.m. in Courtroom 4, on the 5th Floor of the above-captioned
5 court, before the Honorable Judge Edward J. Davila.

6 Plaintiff and Defendants have reached an agreement in principle to resolve all remaining
7 issues in the case including Plaintiff's claims for damages, royalties, and costs claimed in the lawsuit
8 against Defendants. Accordingly, Defendants and Plaintiff have stipulated to continue the Case
9 Management Conference to provide the parties with sufficient time to document and finalize the
10 settlement agreement.

11 Defendant and Plaintiff request that the Court continue the Case Management Conference in
12 this matter to May 28, 2015 at 10:00 a.m., with joint case management statements to be filed with the
13 Court by May 21, 2015. In the event settlement is reached by the parties and dismissals are filed with
14 the Court on or before May 28, 2015, the Case Management Conference will automatically be
15 removed from the Court's calendar.

16 **IT IS SO STIPULATED.**

17
18 Dated: April 23, 2015

By: /s/ Michael E. Zeliger

Michael E. Zeliger
David Simons
Jackson Ho
Ranjini Acharya

K&L GATES LLP

Attorneys for Defendants AUCTIVA
CORPORATION and VENDIO SERVICES,
Inc.

1 Dated: April 23, 2015

/s/ John V. Picone

John V. Picone III, Bar No. 187226
jpicone@hopkinscarley.com
Jennifer S. Coleman, Bar No. 213210
jcoleman@hopkinscarley.com
Aleksandr Korzh, Bar No. 286613
akorzh@hopkinscarley.com
HOPKINS & CARLEY
A Law Corporation
The Letitia Building
70 South First Street
San Jose, CA 95113-2406

Telephone: (408) 286-9800
Facsimile: (408) 998-4790
Attorneys for Defendant EBAY INC.

10 Dated: April 23, 2015

/s/ Timothy Grochocinski

W. Paul Schuck, (SBN 203717)
pschuck@bzbm.com
Sony B. Barari, (SBN 243379)
sbarari@bzbm.com
BARTKO, ZAMKEL, BUNZEL & MILLER
A Professional Law Corporation
One Embarcadero Center, Suite 800
San Francisco, California 94111
Telephone: (415) 956-1900
Facsimile: (415) 956-1152

Timothy E. Grochocinski (*pro hac vice*)
teg@innovalaw.com
Joseph P. Oldaker (*pro hac vice*)
joldaker@innovalaw.com
15020 S. Ravinia Ave. Suite 29
Orland Park, Illinois 60462
Telephone: (708) 675-1975
Facsimile: (708) 675-1786

Attorneys for Plaintiff AUCTION
ACCELERATION CORP.

22 **CERTIFICATION PURSUANT TO CIV. L.R. 5-1(i)(3)**

23 Pursuant to Civil Local Rule 5-1(i)(3), I hereby certify that concurrence in the filing of this
24 document has been obtained from the signatories for whom a signature is indicated by a conformed
25 signature (/s/). I have on file records to support this concurrence for production for the Court if so
26 ordered.

27 Dated: April 23, 2015

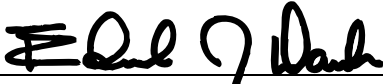
/s/ Ranjini Acharya

Ranjini Acharya

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

2 The Case Management Conference currently scheduled for April 30, 2015 is continued to
3 May 28, 2015 at 10:00 a.m. In the event settlement is reached by the parties and dismissals are filed
4 with the Court on or before May 28, 2015, the Case Management Conference will automatically be
5 removed from the Court's calendar.

6
7 Date: 4/24/2015

8 By: 
9 Edward J. Davila
10 United States District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28