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12 *[Additional counsel listed on signature page]*
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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 FURTHER CONTINUE CASE
 MANAGEMENT CONFERENCE
 PENDING SETTLEMENT**

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

Date: June 25, 2015
 Time: 10:00 a.m.
 Judge: Hon. Edward J. Davila
 Courtroom: 4

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, June 25, 2015 at 10:00 a.m. in Courtroom 4, on the 5th Floor of the above-captioned court,
5 before the Honorable Judge Edward J. Davila.

6 Plaintiff and Defendants previously 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. Counsel for all parties have engaged in diligent efforts to reach a written
9 settlement agreement that resolves all remaining disputes in this case, but the parties have not yet
10 finalized the settlement agreement. Accordingly, Defendants and Plaintiff have stipulated to a short
11 further continuance of the Case Management Conference by two weeks, to provide the parties
12 additional time to seek to document and finalize the settlement agreement.

13 Defendant and Plaintiff request that the Court continue the Case Management Conference in
14 this matter to July 9, 2015 at 10:00 a.m., with joint case management statements to be filed with the
15 Court by July 2, 2015. In the event settlement is reached by the parties and dismissals are filed with
16 the Court on or before July 9, 2015, the Case Management Conference will automatically be removed
17 from the Court's calendar.

18 **IT IS SO STIPULATED.**

19
20 Dated: June 18, 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: June 18, 2015

/s/ Jennifer S. Coleman

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10 Dated: June 18, 2015

/s/ Timothy Grochocinski

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Attorneys for Plaintiff AUCTION
ACCELERATION CORP.

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

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

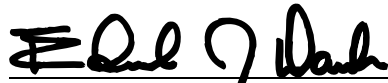
28 Dated: June 18, 2015

/s/ Ranjini Acharya
Ranjini Acharya

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

2 The Case Management Conference currently scheduled for June 25, 2015 is continued to July
3 9, 2015, at 10:00 a.m., with joint case management statements to be filed with the Court by July 2,
4 2015. In the event settlement is reached by the parties and dismissals are filed with the Court on or
5 before July 9, 2015, the Case Management Conference will automatically be removed from the
6 Court's calendar.

7
8 Date: 6/19/2015

9 By: 
10 Edward J. Davila
11 United States District Judge
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