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 11 **UNITED STATES DISTRICT COURT**  
 12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14 ALIPHCOM DBA JAWBONE,  
 15 Plaintiff,  
 16 v.  
 17 SOUNDWORKS, INC.,  
 18 Defendant.

Case No. 5:15-cv-00342-NC

**THIRD REQUEST TO CONTINUE  
 CASE MANAGEMENT CONFERENCE  
 AND ORDER**

21 Plaintiff AliphCom (“Jawbone” or “Plaintiff”) submits this request to continue the Case  
 22 Management Conference. The Initial Case Management Conference in this action is currently  
 23 scheduled to take place on July 29, 2015, at 10:00 a.m. In light of ongoing, productive settlement  
 24 discussions, the parties hereby request that the conference be continued for eight weeks, until  
 25 September 23, 2015, or as soon as possible thereafter.

26 Jawbone filed its First Amended Complaint on February 27, 2015. Soundworks, Inc.  
 27 (“Soundworks”) has been served, but Jawbone has extended its deadline to file an answer or  
 28 responsive pleading in view of settlement discussions. The parties have exchanged a draft

1 settlement agreement and continue to expect that a settlement can be finalized in the near future.  
2 Accordingly, Jawbone believes it would be appropriate to continue the Initial Case Management  
3 Conference for a sufficient amount of time to allow settlement discussions to proceed, and  
4 therefore respectfully requests that the Initial Case Management Conference, currently set for  
5 July 29, be continued for eight weeks until September 23, 2015. The requested extension will  
6 not affect the Court’s case management schedule.  
7

8 Respectfully submitted,  
9 KILPATRICK TOWNSEND & STOCKTON LLP  
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11 DATED: July 15, 2015 By:   /s/ Ryan Bricker  
12 Gregory S. Gilchrist  
13 Jennifer D. Arkowitz  
14 Ryan Bricker  
15 Attorneys for Plaintiff  
16 ALIPHCOM  
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**ORDER**

The Case Management Conference is continued to September 23, 2015 at 10:00 a.m. in Courtroom 7, 4<sup>th</sup> Floor, San Jose. Case management statement due September 16, 2015. Defendant must file its consent or declination to proceed before magistrate judge by July 29, 2015.

IT IS SO ORDERED.

Dated: July 16, 2015

