

1 Sebastian L. Miller (CSB No. 265793)
 2 sebastian@sebastianmillerlaw.com
 3 SEBASTIAN MILLER LAW, P.C.
 4 900 Lafayette Street, Suite 201
 5 Santa Clara, CA 95050
 6 Telephone: (408) 348-1728
 7 Facsimile: (408) 716-3149

8 Attorneys for Plaintiff
 9 ROBERT NIKORA

DANIEL J. MCCOY (CSB No. 206099)
 dmccoy@fenwick.com
 SAUNDRA L. M. RILEY (CSB No. 218084)
 sriley@fenwick.com
 KUNYU CHING (CSB No. 292616)
 kching@fenwick.com
 FENWICK & WEST LLP
 Silicon Valley Center
 801 California Street
 Mountain View, CA 94041
 Telephone: 650.988.8500
 Facsimile: 650.938.5200

Attorneys For Defendant
 CRAY INC.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

15 ROBERT NIKORA,

16 Plaintiff,

17 v.

18 CRAY INC.,

19 Defendant.

Case No.: 15-cv-02533-LHK

**JOINT NOTICE OF SETTLEMENT
 AND REQUEST TO CONTINUE CASE
 MANAGEMENT CONFERENCE
 AND ~~PROPOSED~~ ORDER**

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 28 JOINT NOTICE OF SETTLEMENT
 AND REQUEST TO CONTINUE CMC
 AND ~~PROPOSED~~ ORDER

Case No. 5:15-cv-02533-LHK

1 Plaintiff Robert Nikora (“Nikora”) and Defendant Cray Inc. (“Cray”) hereby notify the
2 Court that they have reached an agreement in principle that will result in dismissal of this action
3 with prejudice. The Parties reached their agreement in principle on December 8, 2015. The
4 Parties are currently in the process of memorializing the terms of their agreement in a binding
5 settlement agreement. In the interests of judicial efficiency and avoiding unnecessary litigation-
6 related expenses, the Parties respectfully request that the Court continue the case management
7 conference currently scheduled for December 16, 2015 for sixty days.

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9 Dated: December 9, 2015

SEBASTIAN MILLER LAW. P.C.

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11 By: /s/ Sebastian L. Miller

12 Sebastian L. Miller

13 Attorneys for Plaintiff
14 ROBERT NIKORA

15 Dated: December 9, 2015

FENWICK & WEST LLP

16
17 By: /s/ Kunyu Ching

18 Kunyu Ching

19 Attorneys for Defendant
20 CRAY INC.

1 **ATTORNEY ATTESTATION**

2 I, Kunyu Ching, attest that concurrence in the filing of this document has been obtained
3 from any signatories indicated by a "conformed" signature (/s/) within this e-filed document. I
4 declare under penalty of perjury under the laws of the United States of America that the foregoing
5 is true and correct.

6 Dated: December 9, 2015

FENWICK & WEST LLP

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8 By: /s/ Kunyu Ching

Kunyu Ching

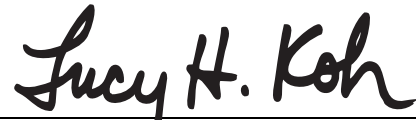
9 Attorneys for CRAY INC.
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12 **~~PROPOSED~~ ORDER**

13 Pending finalization of the parties' settlement agreement and subsequent dismissal of this
14 action with prejudice, the Court hereby continues the case management conference currently
15 scheduled for December 16, 2015 to February 17, 2016 at 2:00 p.m. There is no stay of discovery.

16 IT IS SO ORDERED.

17 Dated: December 10, 2015



18 The Honorable Lucy H. Koh
19 United States District Judge
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