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The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION, a Washington corporation,

Plaintiff,

v.

AVENTIS SYSTEMS, INC., a Georgia corporation,

Defendant.

No. 2:16-cv-01234-RSM

STIPULATED MOTION AND ORDER TO EXTEND CASE DEADLINES

I. STIPULATION

The parties stipulate as follows:

1. On January 1, 2017 the Court entered the Order Setting Trial Date and Related Dates, Dkt. # 28 (“Order”). Among other dates, the Order set the discovery cut off for September 29, 2017, the dispositive motion deadline for October 27, 2017, and a trial starting on February 5, 2018.

2. The parties continue to conduct written discovery in this matter.

3. The parties desire to mediate this matter in good faith in an attempt to reach a complete settlement.

4. The parties would like to conduct further written discovery before mediating. The parties also desire to mediate before incurring the expense of preparing for and taking

1 depositions. Many of the depositions in this matter will likely require significant travel
2 expenses.

3 5. The schedules of the parties and their counsel do not allow for a mediation to
4 occur with sufficient time so that, should the mediation be unsuccessful, the parties may
5 complete written discovery and take depositions after the mediation and before the current
6 discovery cutoff.

7 6. On July 19, 2017, the parties filed a stipulated motion to request a 45-day
8 extension of certain deadlines in the Order, but did not request a change in the trial date. Dkt. #
9 34.

10 7. On July 20, 2017, the Court denied the parties' motion because the proposed
11 extension of the deadlines did not include a request to move the trial date, and extending the
12 deadlines without moving the trial date would leave the Court with insufficient time to make
13 the necessary decisions and rulings before the trial date. Dkt. # 35. The Court, however, stated
14 that "[n]othing precludes the parties from filing a new stipulation that also requests an
15 extension of the trial date with any request for an extension of pre-trial deadlines." *Id.*

16 8. Accordingly, the parties respectfully request a 60-day extension of all remaining
17 deadlines in the Order, including the trial date. The parties both believe that this proposed
18 schedule will allow sufficient time to try in good faith to efficiently resolve this matter without
19 incurring potentially needless expense conducting additional written discovery and depositions.

20 II. ORDER

21 THIS MATTER, having come before the undersigned on the parties' Stipulated Motion
22 to Extend Case Deadlines, it is hereby ORDERED that the stipulated motion is GRANTED.
23 Pursuant to this order, the Court hereby modifies the Order Setting Trial Date and Related Dates,
24 Dkt. # 28, by extending all remaining deadlines by 60 days.
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1 DATED this 25 day of July 2017.
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5 RICARDO S. MARTINEZ
6 CHIEF UNITED STATES DISTRICT JUDGE
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10 Presented by:

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