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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

THX, LTD.,

Plaintiff,

v.

APPLE, INC.,

Defendant.

Case No. 3:13-CV-01161-JSW

STIPULATION AND ~~[PROPOSED]~~ ORDER TO CONTINUE THE CASE MANAGEMENT CONFERENCE AND RELATED DEADLINES

Pursuant to the Court's Order Setting Initial Case Management Conference and ADR Deadlines dated March 14, 2013 (Dkt. No. 2), the Court's Order Setting Case Management Conference and Requiring Joint Case Management Conference Statement dated March 19, 2013

(Dkt. No. 5), and Local Rules 6-2 and 7-12, plaintiff THX, Ltd. ("THX") and defendant Apple Inc. ("Apple") jointly submit this stipulated request for an order continuing the Case Management Conference, which is now set for June 14, 2013 at 1:30 p.m., and other related deadlines by 42 days or as soon thereafter as the matter may be heard.

WHEREAS THX filed its Complaint in this action on March 14, 2013;

WHEREAS THX has not yet served Apple with its Complaint and Apple has not yet appeared in this action;

WHEREAS on March 14, 2013 and March 19, 2013, this Court issued orders scheduling a Case Management Conference for June 14, 2013;

WHEREAS the parties are currently attempting to resolve this matter outside of this litigation; and

WHEREAS the requested continuance is the first request for an extension in this case of any kind and will not affect any other deadline.

NOW THEREFORE IT IS HEREBY STIPULATED by the parties, through their respective counsel, that the Case Management Conference shall be continued from June 14, 2013 at 1:30 p.m. to July 26, 2013 at 1:30 p.m., or as soon thereafter as the matter may be heard, and that all related deadlines shall be continued as follows:

Date	**Event**
July 5, 2013	Last day to: • meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan; • file ADR Certification signed by Parties and Counsel; and • file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference
July 19, 2013	Last day to: • file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report; and • file Case Management Statement
July 26, 2013	Case Management Conference at 1:30 p.m.

IT IS SO STIPULATED.

Dated: June 4, 2013

By: */s/ Eric L. Wesenberg*
Eric L. Wesenberg, Bar No. 139696
EWesenberg@perkinscoie.com

Attorneys for Plaintiff THX, LTD.

Pursuant to Civil Local Rule 5-1(i)(3), counsel for THX has obtained the concurrence of Apple's counsel in the filing of this Stipulated Request.

Dated: June 4, 2013

By: */s/ Mark D. Selwyn*
Mark D. Selwyn, Bar No. 244180
Mark.Selwyn@wilmerhale.com

Attorneys for Defendant Apple Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 5, 2013

Honorable Jeffrey S. White
United States District Judge