

1 GIBSON, DUNN & CRUTCHER LLP
Wayne Barsky, SBN 116731
2 wbarsky@gibsondunn.com
Casey J. McCracken, SBN 271202
3 cmccracken@gibsondunn.com
333 South Grand Avenue
4 Los Angeles, CA 90071-3197
Telephone: 213.229.7000
5 Facsimile: 213.229.7520

6 Attorneys for Plaintiff
ADVANCED STEEL RECOVERY, LLC
7

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 ADVANCED STEEL RECOVERY, LLC,

11 Plaintiff,

12 v.

13 X-BODY EQUIPMENT, INC., and JEWELL
ATTACHMENTS, LLC,

14 Defendants.
15

CASE NO. 2:12-cv-01004-GEB-DAD

**STIPULATION AND [PROPOSED] ORDER
TO ADJUST OPENING CLAIM
CONSTRUCTION BRIEFING DEADLINE**

16 WHEREAS, on July 31, 2012, this Court entered a Status (Pretrial Scheduling) Order (D.I.
17 22) setting forth a case schedule in this action between Plaintiff Advanced Steel Recovery, LLC
18 (“ASR”) and Defendants X-Body Equipment, Inc. (“X-Body”) and Jewell Attachments, LLC
19 (“Jewell”) (collectively “Defendants”).

20 WHEREAS, the current deadline for the parties to file simultaneous opening claim
21 construction briefs is Monday May 20, 2013.

22 WHEREAS, the parties have been engaging in good-faith settlement discussions in an effort
23 to resolve this matter in the immediate future.

24 WHEREAS, the parties believe that the possibility of realizing a resolution to this matter
25 would be increased if the current deadline for opening claim construction briefs, currently due on
26 May 20, 2013, was extended by two (2) weeks to June 3, 2013.
27
28

1 WHEREAS, the parties agreed amongst themselves to extend the deadline for opening claim
2 construction briefs by two (2) weeks to June 3, 2013 and request that the Court grant such an
3 extension.

4 WHEREAS, the parties have not previously requested an extension of this deadline.

5 WHEREAS, such an extension would promote judicial economy and allow the Court to
6 conserve valuable resources, including the time and effort of its staff.

7 WHEREAS, the parties believe that such an extension of the deadline will also conserve the
8 parties' time and resources by allowing them to continue exploring viable opportunities to resolve
9 this matter in good faith.

10 WHEREAS, such an extension will not affect the remainder of the pre-trial schedule,
11 including the deadline for responsive claim construction briefs due June 17, 2013, the technology
12 tutorial scheduled for June 17, 2013, and the claim construction hearing scheduled for July 29, 2013.

13 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that the deadline for
14 each party to file simultaneous opening claim construction briefs and supporting evidence shall be
15 extended to Monday, June 3, 2013.

16 DATED: May 8, 2012

GIBSON, DUNN & CRUTCHER LLP

17
18
19
20 By: /s/ Casey J. McCracken
Casey J. McCracken

21
22 Attorneys for Plaintiff ADVANCED STEEL
RECOVERY, LLC

23
24 DATED: May 8, 2012

SEDGWICK LLP

25 By: /s/ Robert Harkins
26 Robert Harkins

27 Attorneys for Defendants X-BODY EQUIPMENT,
28 INC. AND JEWELL ATTACHMENTS, LLC


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Pursuant to this Stipulation and for the reasons stated therein, IT IS HEREBY ORDERED that the deadline for each party to file simultaneous opening claim construction briefs and supporting evidence is extended to Monday, June 3, 2013.

IT IS SO ORDERED.

Date: 5/10/2013



GARLAND E. BURRELL, JR.
Senior United States District Judge

ASR V X-BODY 12-CV-1004 STIPULATION TO ADJUST BRIEFING DEADLINE.DOC