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

**JOINT MOTION TO ADJUST CLAIM  
CONSTRUCTION BRIEFING AND  
TECHNOLOGY TUTORIAL SCHEDULE;  
PROPOSED ORDER**

16 **JOINT MOTION TO ADJUST CLAIM CONSTRUCTION BRIEFING AND**  
17 **TECHNOLOGY TUTORIAL SCHEDULE**

18 Plaintiff Advanced Steel Recovery, LLC (“ASR”) and Defendants X-Body Equipment, Inc.  
19 (“X-Body”) and Jewell Attachments, LLC (“Jewell”) (collectively “Defendants”) through their  
20 undersigned counsel, hereby jointly move the Court to adjust certain claim construction briefing and  
21 technology tutorial deadlines as follows:

| Event   | Current Date                | New Date                   |
|---|-----------------------------|----------------------------|
| The Parties Shall Simultaneously File Opening Claim Construction Briefs and Supporting Evidence | June 3, 2013                | June 24, 2013              |
| The Parties Shall File Responsive Claim Construction Briefs                                     | June 17, 2013               | July 12, 2013              |
| Technology Tutorial Before the Court  | June 17, 2013 at 10:00 a.m. | July 12, 2013 at 1:30 p.m. |

| Event                      | Current Date                | New Date                                   |
|----------------------------|-----------------------------|--|
| Claim Construction Hearing | July 29, 2013 at 10:00 a.m. | July 29, 2013 at 10:00 a.m.<br>(no change) |

On July 31, 2012, this Court entered a Status (Pretrial Scheduling) Order (D.I. 22) setting forth a case schedule in this action.

On May 13, 2013 the Court, pursuant to a stipulation of the parties, extended the deadline for the parties to file opening claim construction briefs from May 20, 2013 to June 3, 2013. (D.I. 28.) This joint motion is the second request to extend the opening claim construction brief deadline and the first request to extend the responsive claim construction brief deadline and technology tutorial date.

The parties have been engaging in good-faith settlement discussions in an effort to resolve this matter in the immediate future. The parties believe that the possibility of realizing a resolution to this matter would be increased if the current claim construction schedule were adjusted as set forth above.

The requested extension would promote judicial economy and allow the Court to conserve valuable resources, including the time and effort of its staff.

The parties believe that the requested extension will also conserve the parties' time and resources by allowing them to continue exploring viable opportunities to resolve this matter in good faith.

The requested extension will not affect the claim construction hearing scheduled for July 29, 2013 or the remainder of the pre-trial schedule.

Based on the foregoing, the parties respectfully request that the Court adjust the claim construction briefing deadlines and technology tutorial hearing date as set forth in the chart above.

DATED: May 29, 2013

GIBSON, DUNN & CRUTCHER LLP

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By: /s/ Casey J. McCracken  
Casey J. McCracken

Attorneys for Plaintiff ADVANCED STEEL  
RECOVERY, LLC

DATED: May 29, 2013

SEDGWICK LLP

By: /s/ Robert Harkins  
Robert Harkins

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

1  
2 ORDER

3 Having reviewed the parties' Joint Motion to Adjust Claim Construction Briefing and  
4 Technology Tutorial Schedule and the Court's files in this matter,

5 **IT IS HEREBY ORDERED** that the claim construction briefing schedule will be adjusted as  
6 reflected in the table below:

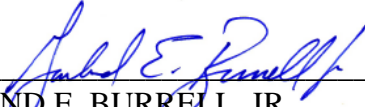
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| The Parties Shall File Responsive Claim Construction Briefs                                     | June 17, 2013               | July 12, 2013                              |
| Technology Tutorial Before the Court  | June 17, 2013 at 10:00 a.m. | July 12, 2013, at 1:30 p.m.                |
| Claim Construction Hearing  | July 29, 2013 at 10:00 a.m. | July 29, 2013 at 10:00 a.m.<br>(no change) |

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17 IT IS SO ORDERED.

18 **Date:** 5/30/2013

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