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8
 9 UNITED STATES DISTRICT COURT
 10 EASTERN DISTRICT OF CALIFORNIA

11 RILLITO RIVER SOLAR LLC DBA
 ECOFASTEN SOLAR, an Arizona limited
 12 liability company,

13 Plaintiff,

14 vs.

15 BAMBOO INDUSTRIES LLC DBA
 16 SOLARHOOKS, a Delaware limited liability
 17 company,

18 Defendant.

NO. 2:17-cv-00181-TLN-CKD

**STIPULATION AND ORDER TO
 CONTINUE DATES IN PRETRIAL
 SCHEDULING ORDER**

19 Pursuant to L.R. 143 and 144, Defendant Bamboo Industries LLC doing business as
 20 SolarHooks (“SolarHooks”), and Plaintiff Rillito River Solar LLC, doing business as EcoFasten
 21 Solar (“EcoFasten”), hereby stipulate and agree to continue the dates in the Pretrial Scheduling
 22 Order (Dkt. 15) as modified by the Minute Order on the Stipulation to Modify Pretrial
 23 Scheduling Order (Dkt. 48) (collectively “the Modified Pretrial Scheduling Order”) by at least 90
 24 days.

25 Good cause exists to continue the dates in the Modified Pretrial Scheduling Order. After
 26 the Court’s entry of its Claim Construction Order on September 11, 2018 (ECF. No. 50), both
 27 parties recognized an opportunity to narrow the issues in the case, and have begun the process of

1 scheduling a mediation to resolve their dispute. The parties are optimistic that mediation will
 2 result in either a complete settlement or a significant narrowing of the number of patents and
 3 accused products at issue. The number of patents and accused products at issue have a direct
 4 impact on issues for which the parties plan to provide expert testimony, including, but not
 5 limited to: infringement or non-infringement of the patent-claims-at-issue by SolarHooks,
 6 invalidity or validity of the patent-claims-at-issue, and the calculation of damages. But, given the
 7 current schedule, the parties will not be able to engage in mediation and detailed settlement
 8 discussions before initial expert reports are due on October 12, 2018. As a result, the parties fear
 9 they will have to expend significant resources providing expert testimony that may no longer be
 10 relevant after the parties mediate and narrow the scope of their dispute.

11 The parties therefore request at least a 90-day continuance of all currently scheduled
 12 dates to provide enough time to complete the mediation process and any later settlement
 13 discussion arising from the mediation process. The parties also seek at least a 90-day
 14 continuance so that they have sufficient time to prepare expert reports for any remaining issues
 15 in dispute after mediation, if needed. The table below shows the current dates identified in the
 16 Modified Pretrial Scheduling Order and the proposed dates the parties request through this
 17 stipulation:

Event	Current Date	Stipulated Proposed Date*
Opening Expert Reports	October 12, 2018	January 11, 2019
Rebuttal Expert Reports	November 2, 2018	February 1, 2019
Deadline for Dispositive Motion Hearings	January 10, 2019	April 12, 2019
Joint Final Pretrial Conference Statement	March 28, 2019	June 28, 2019
Final Pretrial Conference	April 4, 2019	July 11, 2019 or later
Trial Date	June 3, 2019	September 3, 2019 or later

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 26 *The parties request a schedule that has at least the amount of time between dates as currently
 27 provided for in the Modified Pretrial Scheduling Order. Should the Court schedule the Final
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1 Pretrial Conference after July 11 or the start of Trial Dates after September 3, the parties request
2 a likewise continuance for the other dates in the calendar.

3 Therefore, to preserve resources of the parties, to provide adequate time for mediation,
4 related settlement discussion, and expert witnesses to prepare written reports following
5 mediation and related settlement discussion, the parties hereby stipulate to at least a 90-day
6 continuance of all dates in the Pretrial Scheduling Order (Dkt. 15) as modified by the Minute
7 Order on the Stipulation to Modify Pretrial Scheduling Order (Dkt. 48).

8 DATED this 26th day of September, 2018.

9 LEE & HAYES PLLC

10 By: /s/ Andrew G. Strickland

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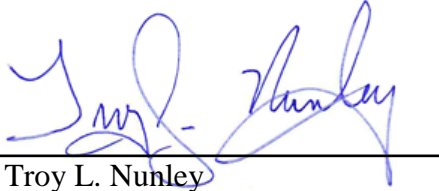
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1 **ORDER**

2 The Court amends its Pretrial Scheduling Order as follows:

Event	New Date
Opening Expert Reports	January 11, 2019
Rebuttal Expert Reports	February 1, 2019
Deadline for Dispositive Motion Hearings	April 18, 2019
Joint Final Pretrial Conference Statement	July 18, 2019
Final Pretrial Conference	July 25, 2019, at 2:00 PM
Jury Trial Date	September 23, 2019, at 9:00 AM

11 Dated: September 27, 2018

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16 Troy L. Nunley
17 United States District Judge