

1 BINGHAM MCCUTCHEN LLP  
 William F. Abrams (SBN 88805)  
 2 william.abrams@bingham.com  
 David S. Cannon (SBN 209501)  
 3 david.cannon@bingham.com  
 Erin A. Smart (SBN 246288)  
 4 erin.smart@bingham.com  
 Olivia Para (SBN 255592)  
 5 olivia.para@bingham.com  
 1900 University Avenue  
 6 East Palo Alto, CA 94303-2223, U.S.A.  
 Telephone: 650.849.4400  
 7 Facsimile: 650.849.4800

8 Attorneys for Defendant  
 Hewlett-Packard Company  
 9

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION

14 MMCA Group Ltd.,  
 15 Plaintiff,  
 16 v.  
 Hewlett-Packard Company and PICA  
 17 Corporation,  
 18 Defendant.

No. 06-7067

STIPULATION AND ~~PROPOSED~~  
 ORDER EXTENDING PRETRIAL  
 DEADLINES

---

[No Hearing Required]

Judge: Hon. Maxine M. Chesney

1 **I. Introduction**

2 Due to recent additions to two parties' counsel and limiting of some issues in the  
3 case, the parties agree that slight modifications to the Court's previous scheduling order would  
4 allow them to more fully prepare their cases, while maintaining the Trial and Pretrial Conference  
5 dates. Plaintiff MMCA Group Ltd. ("MMCA") and Defendants Hewlett-Packard Company  
6 ("HP") and PICA Corporation ("PICA") file this Stipulation and ~~Proposed~~ Order to extend the  
7 time for the parties to meet certain deadlines set forth in the Pretrial Preparation Order dated June  
8 15, 2009 (Docket 544), as amended by the Court's Minute Order of December 11, 2009 (Docket  
9 695).

10 **II. Background**

11 The parties have been working diligently and cooperatively to come to agreement  
12 on their joint pretrial filings and prepare their separate papers. Recent developments in the case  
13 have raised the need for modest adjustments to allow the parties to fully develop their pretrial  
14 preparation. Two parties recently retained additional counsel. (Docket 671-675 and 690-693)  
15 Additionally, several issues in this case were recently narrowed by the Court's summary  
16 judgment order. (Docket 732)

17 The parties have cooperatively negotiated an agreement whereby deadlines  
18 related to Exhibits, the Pretrial Statement, and Jury Instructions are moved ahead a few days  
19 while the remaining dates, including the Trial and Pretrial Conference dates and the dates related  
20 to motions *in limine* remain unchanged. Additionally, the parties have met and conferred  
21 regarding dates for exchanging and submitting designations of deposition testimony they wish to  
22 use in their cases in chief at trial and ask that the Court adopt that agreement as part of this  
23 Stipulation and ~~Proposed~~ Order.

24 **III. Conclusion**

25 Accordingly, the parties stipulate as follows:

- 26 a. Motions *in limine* remain as previously scheduled, specifically:

- 1           i. On Monday, February 1, 2010, motions *in limine* shall be filed and served.
- 2           ii. On Monday, February 8, 2010, oppositions to motions *in limine* shall be filed
- 3           and served.
- 4       b. Pretrial Statement
- 5           i. On Tuesday, February 2, 2010, the parties shall file with the Court a copy of
- 6           their Joint Pretrial Statement.
- 7       c. Deposition Designations
- 8           i. By 5:00 p.m. on Wednesday, February 3, 2010, each party shall deliver to all
- 9           other parties a hardcopy of any deposition testimony to be presented in that
- 10          party's case in chief at trial, other than for impeachment.
- 11       d. Exhibits
- 12           i. By 12:00 p.m. (noon) on Wednesday, February 3, 2010, each party shall serve
- 13           on every other party a hardcopy set (in 3-ring binders) of the exhibits it
- 14           proposes using at trial, other than for impeachment.
- 15       e. Jury Instructions
- 16           i. On Friday, February 5, 2010, the parties shall file with the Court a copy of
- 17           joint jury instructions.
- 18           ii. On Friday, February 5, 2010, each party shall file with the Court a copy of any
- 19           separate instructions only as to those instructions on which the parties cannot
- 20           agree.
- 21           iii. On Friday, February 5, 2010, each party shall file with the Court any
- 22           objections it has to another party's separate proposed jury instructions.
- 23       f. Where applicable the substance and format of the above filings shall be in accordance
- 24       with the Court's June 15, 2009 Order (Docket 544).
- 25       g. The Pretrial Conference remains set for February 16, 2010.
- 26       h. Trial remains set for March 1, 2010.
- 27
- 28

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

DATED: January 29, 2010

Bingham McCutchen LLP

By:                           /s/ William F. Abrams                            
                          William F. Abrams  
                          Attorneys for Defendant

DATED: January 29, 2010

Luper Neidenthal & Logan

By:                           /s/ Gregory H. Melick                            
                          Gregory H. Melick  
                          Attorneys for Plaintiff

DATED: January 29, 2010

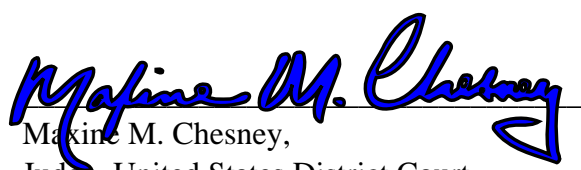
Geonetta & Frucht LLP

By:                           /s/ Frederick J. Geonetta                            
                          Frederick J. Geonetta  
                          Attorneys for Plaintiff

**ORDER**

IT IS SO ORDERED.

DATED:   February 2, 2010                          

  
Maxine M. Chesney,  
Judge, United States District Court