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United States District Court  
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SUN MICROSYSTEMS, INC.,  
Plaintiff,  
v.  
NETWORK APPLIANCE, INC.,  
Defendant.

No. C-07-05488 EDL  
**ORDER FOLLOWING CASE  
MANAGEMENT CONFERENCE**

Following the January 23, 2009 Case Management Conference in the above captioned case,  
it is HEREBY ORDERED as follows:

Close of fact discovery is April 24, 2009.

Opening expert reports are due on August 7, 2009. Rebuttal expert reports are due on  
August 28, 2009. The close of non-damages expert discovery is September 18, 2009. The Court  
will set a trial date after ruling on the motions for summary judgment.

The Court will first consider summary judgment motions that involve issues relating to the  
claim terms that the Court has already construed. Parties shall file final reply briefs on the summary  
judgment motions by November 4, 2009. The Court will hear the summary judgment motions on  
December 2 and December 9, 2009. Any request to continue the hearing dates shall be filed by  
January 30, 2009. The parties shall further meet and confer about the number of briefs and briefing  
schedule for this round of summary judgment motions and the order in which the motions should be  
heard. The parties shall also meet and confer on a list of other potential issues for future summary  
judgment motions, including, if necessary, a limited number of claim terms that the parties contend

1 require construction. The parties shall file a joint case management statement addressing these  
2 issues by April 23, 2009.

3 A further case management conference will be held on April 30, 2009 at 2:00 p.m.

4 **IT IS SO ORDERED.**

5 Dated: January 29, 2009

*Elizabeth D. Laporte*  
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ELIZABETH D. LAPORTE  
United States Magistrate Judge

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