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Attorneys for Plaintiff
AUTODESK, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AUTODESK, INC., a Delaware corporation,

Plaintiff and
Counterdefendant,

v.

DASSAULT SYSTÈMES SOLIDWORKS
CORPORATION, a Delaware corporation,

Defendant and
Counterclaimant.

Case No. 3:08-cv-04397-WHA

**STIPULATION AND ~~PROPOSED~~
ORDER**

STIPULATION FOR EXTENSION OF TIME

Plaintiff Autodesk, Inc. (“Autodesk”) and Defendant Dassault Systèmes SolidWorks Corporation (“SolidWorks”), together the “Parties,” hereby stipulate to an extension of: (1) five calendar days—until September 30, 2009—for production of documents by non-parties Kanal Consulting Group, BRS, CADopia, and Cascade; (2) five calendar days—until September 30, 2009—for Autodesk and SolidWorks to make any substantive supplementation to their

STIPULATION AND ~~PROPOSED~~ ORDER
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sf-2743028

1 interrogatory responses; and (3) twenty-one calendar days—until October 16, 2009—for
2 Autodesk and SolidWorks to supplement their interrogatory responses solely to add references to
3 documents produced in the case. This extension is supported by good cause, as described
4 follows:

5 **Non-Party Expert Cut-Off Date**

- 6 1. The non-expert discovery cut-off date in this matter is September 25, 2009.

7 **Non-Party Document Subpoenas**

8 2. Autodesk served a document subpoena on non-party CADopia, Inc. on
9 September 10, 2009. (SolidWorks' counsel is representing CADopia for purposes of this
10 document subpoena.)

11 3. SolidWorks served document subpoenas on non-parties BRS Group, Kanal
12 Consulting Group, and Cascade Insights, LLC, on September a non-party represented by
13 Autodesk's counsel, on August 26th, September 9th, and September 14th, respectively.
14 (Autodesk's counsel is representing Kanal and BRS for purposes of its document subpoena.)

15 4. Counsel for both parties have been in contact with counsel or representatives of
16 each of these third parties. Due to the volume of documents sought, the relatively short return
17 dates on the subpoenas, and in light of this Court's discovery cut-off, the Parties stipulate that
18 CADopia, BRS, Kanal, and Cascade may produce documents by September 30th, which is five
19 calendar days after this Court's non-expert discovery cut-off.

20 5. The Parties respectfully request that the Court enter an order approving this
21 extension.

22 **Party Interrogatories**

23 6. The Parties each propounded interrogatories that require the other to identify, by
24 Bates number, documents that support certain allegations. The responses are due on Friday,
25 September 25, 2009. Both Parties will be serving responses on those days, which will identify by
26 Bates number responsive documents from those productions that each have had in their
27 possession for more than a few weeks.

1 7. Because additional documents have recently been produced by both Parties, and
2 because non-parties have recently produced, and will soon be producing, additional documents,
3 the Parties will need additional time, beyond September 25th, to review those productions and
4 supplement their interrogatory responses to identify additional responsive documents.

5 8. In light of these facts, the Parties stipulate that each shall have until September 30,
6 2009, to make any substantive supplementation to their interrogatory responses, which is five
7 calendar days after the Court's non-expert discovery cut-off. And the Parties further stipulate that
8 each shall have until October 16, 2009, to supplement their interrogatory responses, which is
9 twenty-one calendar days after the Court's non-expert discovery cut-off.

10 9. The Parties respectfully request that the Court enter an order approving this
11 extension.

12 **This Request Does Not Impact Other Deadlines**

13 10. The Parties agree that these extensions do not require modification to any other
14 deadline.

15 IT IS SO STIPULATED.

16 Dated: September 24, 2009

MORRISON & FOERSTER LLP

17
18 By: /s/ David E. Melaugh

19 DAVID E. MELAUGH

20 Attorneys for Plaintiff and
21 Counterdefendant
22 AUTODESK, INC.
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2 Dated: September 24, 2009

QUINN EMANUEL URQUHART
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4 By: /s/ Evette D. Pennypacker

5 EVETTE D. PENNYPACKER

6 Attorneys for Defendant and
7 Counterclaimant
8 DASSAULT SYSTÈMES
9 SOLIDWORKS CORPORATION
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[PROPOSED] ORDER

Based on the foregoing stipulation, and for good cause shown,

IT IS HEREBY ORDERED that:

1. The time for non-parties CADopia, BRS, Kanal, and Cascade to produce documents in response to the non-party subpoenas is extended to September 30, 2009;
2. Autodesk and SolidWorks may make any substantive supplementation to their interrogatory responses by no later than September 30, 2009; and
3. Autodesk and SolidWorks may supplement their interrogatory responses solely to add references to documents produced in the case by no later than October 16, 2009.

Dated: September ²⁸____, 2009

