

1 CLARK S. STONE (SBN 202123)
 JENNIFER M. LANTZ (SBN 202252)
 2 INCHAN A. KWON (SBN 247614)
HAYNES AND BOONE, LLP
 3 2033 Gateway Place, Suite 400
 San Jose, California 95110
 4 Phone: (408) 392-9250
 Facsimile: (408) 392-9262
 5 E-mail:clark.stone@haynesboone.com
 jennifer.lantz@haynesboone.com
 6 inchan.kwon@haynesboone.com

7 Attorneys for Plaintiff
 8 ZIRCON CORPORATION

9 **PILLSBURY WINTHROP SHAW PITTMAN LLP**
 VERNON H. GRANNEMAN (SBN 83532)
 10 vernon.granneman@pillsburylaw.com
 DIANNE L. SWEENEY (SBN 187198)
 11 dianne.sweeney@pillsburylaw.com
 12 2475 Hanover Street
 Palo Alto, California 94304
 13 Phone: (650) 233-4500
 Facsimile: (650) 233-4545

14
 15 BRYAN P. COLLINS (admitted *pro hac vice*)
 bryan.collins@pillsburylaw.com
 16 1650 Tysons Blvd.
 McLean, Virginia 22102
 17 Phone: (703) 770-7538
 Facsimile: (703) 770-7900

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 19 Attorneys for Defendant
 THE STANLEY WORKS

20 UNITED STATES DISTRICT COURT
 21 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

22
 23 ZIRCON CORPORATION, a California
 corporation,
 24 Plaintiff,
 25 v.
 26 THE STANLEY WORKS, a Connecticut
 corporation,
 27 Defendant.
 28

Case No. 4:09-cv-00042 PJH

**STIPULATION AND [PROPOSED]
 ORDER TO ENTER CASE SCHEDULE**

Judge: Honorable Phyllis J. Hamilton
 Date Comp. Filed: January 6, 2009
 Trial Date: None set

1 This stipulation is entered into by and between Plaintiff Zircon Corporation (“Zircon”) and
2 Defendant The Stanley Works (“Stanley”) as follows:

3 WHEREAS, at the parties’ Initial Case Management Conference on October 15, 2009, the
4 court set the date of the claim construction hearing for August 4, 2010 at 9:00 a.m., and the date of
5 the tutorial for July 12, 2010 at 9:00 a.m.;

6 WHEREAS, the court further ordered that the parties submit a stipulation as to all other
7 pre-claim construction hearing dates within two weeks of the Initial Case Management
8 Conference; and

9 WHEREAS, the court further ordered that all other pretrial dates will be set after the ruling
10 on claim construction issues;

11 NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE, through
12 their respective counsel of record, to entry of the following proposed case schedule in this action:

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Event	Proposed Date
Initial Disclosures and Commence Claim Construction Fact Discovery	January 15, 2010
Initial Disclosures Under Patent L. R. 3-1 and 3-2 (Disclosure of Asserted Claims and Infringement Contentions)	January 29, 2010
Initial Disclosures Under Patent L. R. 3-3 and 3-4 (Invalidity Contentions)	March 8, 2010
Exchange of Proposed Terms for Construction	March 17, 2010
Exchange of Preliminary Claim Constructions and Extrinsic Evidence (Including Any Anticipated Expert Opinions/Testimony)	April 5, 2010
Exchange of Rebuttal Expert Opinions/Testimony	April 20, 2010
Joint Claim Construction and Prehearing Statement	May 4, 2010
Completion of Claim Construction Discovery	June 1, 2010
Opening Claim Construction Briefs	June 17, 2010
Responsive Claim Construction Briefs	June 30, 2010
Reply Claim Construction Briefs	July 7, 2010

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Tutorial	July 12, 2010, 9:00 a.m.
<u>Markman</u> Claim Construction Hearing	August 4, 2010, 9:00 a.m.

IT IS SO STIPULATED.

DATED: October 28, 2009

HAYNES AND BOONE, LLP

By /c/ Clark S. Stone
 Clark S. Stone
 Attorneys for Plaintiff
 ZIRCON CORPORATION

DATED: October 28, 2009

PILLSBURY WINTHROP SHAW PITTMAN LLP

By /c/ Bryan P. Collins
 Bryan P. Collins
 Attorneys for Defendant
 THE STANLEY WORKS

Filer's Attestation: Pursuant to General Order No. 45, Section X.B. regarding non-filing signatories, Clark S. Stone hereby attests that concurrence in the filing of this Stipulation has been obtained from Bryan P. Collins

IT IS SO ORDERED.

DATED: November 2, 2009

