

1 ANTHONY G. SIMON, Mo. Bar No. 38745 (*pro hac vice*)  
TIMOTHY E. GROCHOCINSKI, Mo. Bar No. 59607 (*pro hac vice*)  
2 The Simon Law Firm, P.C.  
701 Market Street, Suite 1450  
3 Saint Louis, Missouri 63101  
Phone: (314) 241-2929  
4 Fax: (314) 241-2029  
asimon@simonlawpc.com  
5 teg@simonlawpc.com

6 Attorneys for Defendants

7 MATTHEW D. POWERS (Bar No. 104795)  
matthew.powes@weil.com  
8 EDWARD R. REINES (Bar No. 135960)  
edward.reines@weil.com  
9 SONAL N. MEHTA (Bar No. 222086)  
sonal.mehta@weil.com  
10 RIP FINST (Bar No. 234478)  
rip.finst@weil.com  
11 WEIL, GOTSHAL & MANGES LLP  
201 Redwood Shores Parkway  
12 Redwood Shores, CA 94065  
Telephone: (650) 802-3000  
13 Facsimile: (650) 802-3100

14 Attorneys for Plaintiff  
CISCO SYSTEMS, INC.

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA

18 CISCO SYSTEMS, INC.,

19 Plaintiff,

20 v.

21 TELECONFERENCE SYSTEMS, LLC and  
22 MARGALLA COMMUNICATIONS, INC.,

23 Defendants.

Case No. C 09-01550 JSW (JCS)

STIPULATION AND ~~[PROPOSED]~~  
ORDER REGARDING MOTION  
HEARINGS AND CASE  
MANAGEMENT CONFERENCE

Hon. Jeffrey S. White

24  
25  
26  
27  
28  
STIPULATION AND ~~[PROPOSED]~~ ORDER  
REGARDING MOTION HEARINGS AND CASE  
MANAGEMENT CONFERENCE

Case No. C 09-01550 JSW (JCS)

1           WHEREFORE, pursuant to Fed. R. Civ. P. 16(b) and Civil L. R. 16-10, this Court ordered  
2 that the Case Management Conference in this case shall be held on August 28, 2009 (D.I. 11);

3           WHEREFORE, the Court's July 1, 2009 Order Granting Stipulation To Enlarge Time For  
4 Cisco's Response To Defendants' Motions To Dismiss For Lack Of Personal Jurisdiction And  
5 Subject Matter Jurisdiction ("Motions to Dismiss") set the hearing regarding those motions on  
6 September 25, 2009 at 9:00 am (D.I. 40);

7           WHEREFORE, pursuant to the parties' joint stipulation, the Court rescheduled the Case  
8 Management Conference to the same date as that of the hearing on the Motions to Dismiss,  
9 September 25, at 1:30 pm (D.I. 50);

10           WHEREFORE, pursuant to the parties' joint stipulation of August 31, 2009, Defendant  
11 Teleconference Systems, LLC withdrew its Motion to Dismiss For Lack of Personal Jurisdiction  
12 (D.I. 58);

13           WHEREFORE, on the same day, Defendants filed a Joint Motion to Dismiss, Stay or in  
14 the Alternative Transfer to the District of Delaware (D.I. 56);

15           WHEREFORE, pursuant to the parties' subsequent joint stipulation, the Court  
16 rescheduled the Case Management Conference and the hearing on Defendants' Joint Motion to  
17 Dismiss, Stay or Transfer and on the remaining Motion to Dismiss for October 30, 2009 (D.I. 70);

18           WHEREFORE, in the parallel action in the District of Delaware, *Teleconference Systems,*  
19 *LLC v. Procter & Gamble Pharmaceuticals, Inc. et al.*, C.A. No. 09-200 (JBS), currently pending  
20 before the court are Cisco Systems, Inc.'s motions to stay and to transfer venue to the Northern  
21 District of California and Teleconference Systems, LLC's motion for leave to amend its  
22 complaint to add Tandberg, Inc. as an additional party;

23           WHEREFORE, the Delaware court has scheduled a hearing on Cisco's pending motions  
24 in that action for October 26, 2009; and

25           WHEREFORE, the parties believe that it may be most convenient and productive for the  
26 Court and for the parties to reschedule the remaining hearings and Case Management Conference  
27 in order to potentially allow for the motions pending in Delaware to be decided before the  
28 remaining hearings and Case Management Conference in this matter.

1 NOW THEREFORE IT IS HEREBY STIPULATED BETWEEN THE PARTIES that,  
 2 subject to the Court's approval, the hearing on Margalla's Motion to Dismiss For Lack of Subject  
 3 Matter Jurisdiction and on the Defendants' Joint Motion to Dismiss, Stay or in the Alternative  
 4 Transfer to the District of Delaware shall be held on December 18, 2009, at 9:00 a.m. It is further  
 5 stipulated that the Case Management Conference in this case shall be held on December 18, 2009,  
 6 at 1:30 p.m., in Courtroom 11, 19th Floor, Federal Building, 450 Golden Gate Avenue, San  
 7 Francisco, California.

8  
 9 Dated: October 14, 2009

THE SIMON LAW FIRM, P.C.

10 By: /s/ Timothy E. Grochocinski  
 11 TIMOTHY E. GROCHOCINSKI  
 teg@simonlawpc.com

12 Attorneys for Defendants

13  
 14 Dated: October 14, 2009

WEIL, GOTSHAL & MANGES LLP

15 By: /s/ Edward R. Reines  
 16 EDWARD R. REINES  
 edward.reines@weil.com

17 Attorneys for Plaintiff Cisco  
 18 Systems, Inc.

**FILER'S ATTESTATION**

I, Edward R. Reines, am the ECF User whose ID and password are being used to file this Joint Stipulation. In compliance with General Order 45, paragraph X.B., I hereby attest that Timothy Grochocinski has concurred in this filing.

Dated: October 14, 2009

WEIL, GOTSHAL & MANGES LLP

By: /s/ Edward R. Reines  
EDWARD R. REINES  
edward.reines@weil.com

Attorneys for Plaintiff Cisco  
Systems, Inc.

**[PROPOSED] ORDER**

Pursuant to the Stipulation above, the hearing on Margalla's Motion to Dismiss For Lack of Subject Matter Jurisdiction and on the Defendants' Joint Motion to Dismiss, Stay or in the Alternative Transfer to the District of Delaware shall be held on December 18, 2009, at 9:00 a.m. It is further ordered that the Case Management Conference in this case shall be held on December 18, 2009, at 1:30 p.m., in Courtroom 11, 19th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: October 16, 2009

  
\_\_\_\_\_  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE