

1 David C. Bohrer (Bar No. 212397)  
 David.bohrer@valoremllp.com  
 2 VALOREM LAW GROUP, LLP  
 60 South Market Street, Suite 1400  
 3 San Jose, California 95113-2396  
 Telephone: (408) 938-3882  
 4 Facsimile: (408) 915-2672

5 Pat Heptig (Bar No. 00793940) , Of Counsel  
 Pat.heptig@valoremllp.com  
 6 (admitted *pro hac vice pending*)  
 VALOREM LAW GROUP, LLP  
 7 15050 E. Beltwood Pkwy.  
 Addison, Texas 75001  
 8 Telephone: (214) 451-2154  
 Facsimile: (312) 676-5499

9 Patrick Lamb (Bar No. 6182882)  
 10 Patrick.lamb@valoremllp.com  
 (admitted *pro hac vice pending*)  
 11 VALOREM LAW GROUP, LLP  
 35 East Wacker Drive, Suite 3000  
 12 Chicago, Illinois 60601  
 Telephone: (312) 676-5477  
 13 Facsimile: (312) 676-5499

14 Attorneys for Plaintiff  
 15 PLANTRONICS, INC.

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN FRANCISCO DIVISION

19 PLANTRONICS, INC.,  
 20  
 21 Plaintiff,  
 22 v.  
 23 ALIPH, INC. and ALIPHCOM, INC.,  
 24 Defendants.  
 25

QUINN EMANUEL URQUHART &  
 SULLIVAN, LLP  
 Robert P. Feldman (Bar No. 69602)  
 bobjfeldman@quinnemanuel.com  
 Dane W. Reinstedt (Bar No. 275447)  
 danereinstedt@quinnemanuel.com  
 555 Twin Dolphin Drive, 5<sup>th</sup> Floor  
 Redwood Shores, California 94065-2139  
 Telephone: (650) 801-5000  
 Facsimile: (650) 801-5100

Attorneys for Defendants ALIPH, INC.  
 AND ALIPHCOM, INC.

Case No. C 09-01714 WHA  
**STIPULATION AND ~~PROPOSED~~  
 ORDER GRANTING RELIEF FROM  
 COSTS JUDGMENT PURSUANT TO  
 RULE 60(b)(5)**

1 Pursuant to Federal Rule of Civil Procedure 60(b)(5) and Civil Local Rule 7-12, plaintiff  
2 Plantronics, Inc. (“Plantronics”) and defendants Aliph, Inc. and Aliphcom, Inc. (“Aliph”), by and  
3 through their counsel, hereby submit the following stipulation and proposed order.

4 WHEREAS, the District Court granted summary judgment in Aliph’s favor and ordered  
5 that Aliph recover costs from Plantronics (D.N. 221);

6 WHEREAS, an order taxing costs in the amount of \$93,929.16 was entered on October 23,  
7 2012 (D.N. 264);

8 WHEREAS, the Federal Circuit reversed in part and vacated in part the District Court’s  
9 judgment and remanded the case to the District Court for further proceedings (D.N. 266);

10 ACCORDINGLY, the parties agree and request, pursuant to Federal Rule of Civil  
11 Procedure 60(b)(5), that the Court enter an order relieving Plantronics of the judgment for costs in  
12 the amount of \$93,929.16 (D.N. 221 and 264) and otherwise vacating the orders (D.N. 221 and  
13 264) in all respects.

14 //  
15 //  
16 //  
17 //  
18 //  
19 //  
20 //  
21 //  
22 //  
23 //  
24 //  
25 //  
26 //  
27 //

28

1 IT IS SO STIPULATED.

2 Dated: December 16, 2013

VALOREM LAW GROUP, LLP

3

4

By: /s/ David C. Bohrer  
David C. Bohrer  
Attorneys for Plaintiffs  
PLANTRONICS, INC

5

6

7 Dated: December 16, 2013

QUINN EMANUEL URQUHART & SULLIVAN,  
LLP

8

9

By: /s/ Robert P. Feldman  
Robert P. Feldman  
Attorneys for Defendants  
ALIPH, INC. AND ALIPHCOM, INC.

10

11

12

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

14

15 DATED: December 17, 2013

16

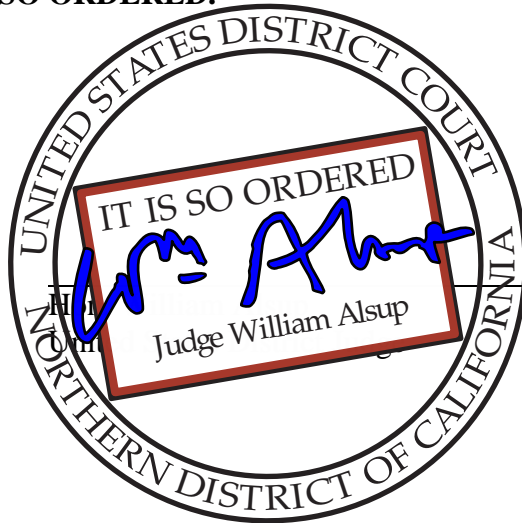
17

18

19

20

21



22

23

24

25

26

27

28