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

20 PLANTRONICS, INC.,  
 21  
 22 Plaintiff,  
 23 v.  
 24 ALIPH, INC. and ALIPHCOM, INC.,  
 25 Defendants.  
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Case No. C 09-01714 BZ

STIPULATION AND ~~[PROPOSED]~~  
 ORDER SETTING CASE SCHEDULE

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Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure and Civil Local Rule 16-9, and in accordance with the Court’s January 31, 2011, Order Setting Trial Schedule (D.N. 89), Plaintiff Plantronics, Inc. (“Plantronics”) and Defendants Aliph, Inc. and AliphCom, Inc. (collectively, “Aliph”), by and through their counsel, hereby submit the following stipulation and proposed order.

WHEREAS, the Court has ordered the parties to stipulate to a proposed schedule based on certain assumptions (D.N. 89); and

WHEREAS, the parties have met and conferred and reached agreement on a case schedule for remaining events and deadlines that is consistent with the Court’s direction;

ACCORDINGLY, the parties agree that the schedule below reflects their agreement and comports with the Court’s order to stipulate to a proposed schedule:

Case Event	Deadline
Patent L.R. 4-2 Exchange of Preliminary Claim Constructions	May 19, 2011
Patent L.R. 4-3 Joint Claim Construction and Prehearing Statement	June 10, 2011
Patent L.R. 4-4 Close of Claim Construction Discovery	July 1, 2011
Patent L.R. 4-5(a) Opening Claim Construction Brief	July 11, 2011
Patent L.R. 4-5(b) Responsive Claim Construction Brief	July 25, 2011
Patent L.R. 4-5(c) Reply Claim Construction Brief	August 1, 2011
Patent L.R. 4-6 Markman Hearing	September 7, 2011
Last Day to Amend Pleadings (except for amending Answer to add inequitable conduct defense)	Two weeks after the Court issues its claim construction order
Patent L.R. 3-7 Advice of Counsel Production	Not later than 50 days after service by the Court of its Claim Construction Ruling
Settlement Conference	Not later than 60 days after service by the Court of its Claim Construction Ruling

Case Event	Deadline
Last Day to Amend Answer to Include Inequitable Conduct Defense	November 11, 2011
Fact Discovery Cut-off	November 23, 2011
Disclosure of Identity of Experts	December 2, 2011
Written Expert Reports Due	December 9, 2011
Rebuttal Expert Reports Due	January 11, 2012
Expert Discovery Cut-off	February 3, 2012
Deadline For Filing Dispositive Motions	February 15, 2012
Pre-Trial Conference	May 2, 2012
Trial	May 21, 2012

IT IS SO STIPULATED.

Dated: May 6, 2011

IRELL & MANELLA LLP

By: /s/Nathan Lowenstein  
 Nathan Lowenstein  
 Attorneys for Plaintiff  
 PLANTRONICS, INC.

Dated: May 6, 2011

QUINN EMANUEL URQUHART & SULLIVAN,  
 LLP

By: /s/Gabriel S. Gross  
 Gabriel S. Gross  
 Attorneys for Defendants  
 ALIPH, INC. and ALIPHCOM, INC.

I, Gabriel S. Gross, am the ECF User whose identification and password are being used to file this document. Pursuant to General Order 45.X.B, I hereby attest that counsel for Plaintiff has concurred in this filing.

**ORDER**

The Case Management Statement and Proposed Order is hereby adopted by the Court as the Case Management Order for the case. The Court adopts the following schedule:

Case Event	Deadline
Patent L.R. 4-2 Exchange of Preliminary Claim Constructions	May 19, 2011
Patent L.R. 4-3 Joint Claim Construction and Prehearing Statement	June 10, 2011
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Case Event	Deadline
Trial	May 21, 2012

Dated: May 13, 2011

  
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THE HON. BERNARD ZIMMERMAN  
United States Magistrate Judge

**A Status Conference to discuss the claims construction is scheduled for May 24, 2011 at 4:00 p.m., in Courtroom G, 15th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California 94102.**