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Attorneys for Defendant and
Counterclaimant ADOBE SYSTEMS
INCORPORATED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TEXTSCAPE LLC, a New Jersey Corporation,

Plaintiff,

v.

ADOBE SYSTEMS INCORPORATED, a
Delaware Corporation,

Defendant.

ADOBE SYSTEMS INCORPORATED, a
Delaware Corporation,

Counterclaimant,

v.

TEXTSCAPE LLC, a New Jersey Corporation,

Counterdefendant.

Case No. 3:09-cv-04550 BZ

**JOINT STIPULATION REGARDING
SUMMARY JUDGMENT
SCHEDULE AND ~~PROPOSED~~
ORDER**

1 WHEREAS, plaintiff Textscape LLC (“Textscape”) brought this suit alleging that
2 defendant Adobe Systems Incorporated (“Adobe”) infringes U.S. Pat. No. 5,930,809 (the
3 “‘809 patent”);

4 WHEREAS, the parties agree that an issue regarding the validity of the asserted
5 claims of the ‘809 patent may be appropriately addressed by an early motion for
6 summary judgment to be filed by Adobe (Docket #24, p. 2:11-13);

7 WHEREAS, the parties agreed to conduct expedited discovery on issues related to
8 the motion for summary judgment (*Id.* at p. 2:14-15);

9 WHEREAS, the Court agreed to hear the early motion for summary judgment
10 before claim construction and set a briefing and hearing schedule for the motion (Docket
11 #30):

Summary Judgment Moving Papers Due:	Wednesday, 4/14/2010
Summary Judgment Opposition Due:	Wednesday, 5/5/2010
Summary Judgment Reply Due:	Wednesday, 5/12/2010
Summary Judgment Hearing:	Wednesday, 6/2/2010 10:00 a.m.

14 WHEREAS, as part of its expedited discovery pertaining to its motion for
15 summary judgment of invalidity, Adobe noticed a Fed. R. Civ. P. 30(b)(6) deposition of
16 Textscape for March 25, 2010 that is limited to topics related to the early motion for
17 summary judgment;

18 WHEREAS, due to scheduling issues of the deponent and counsel, the parties
19 agreed to move the deposition to April 7, 2010 in Palo Alto, California, provided that: a)
20 the Court agrees to a short extension of time in which to file Adobe’s summary judgment
21 motion to allow adequate time to finalize preparation of the motion after completion of
22 the deposition, and b) the 30(b)(6) corporate deponent will be made available for a future
23 deposition in his individual capacity at a date and location to be agreed upon by the
24 parties; and

25 WHEREAS, all other dates on the schedule will remain the same;

26 NOW THEREFOR, the parties stipulate, subject to Court approval, that the
27 summary judgment schedule shall be modified as follows:

28 Summary Judgment Moving Papers Due: Friday, 4/16/2010

1 All other deadlines shall remain unchanged:

2 Summary Judgment Opposition Due: Wednesday, 5/5/2010
3 Summary Judgment Reply Due: Wednesday, 5/12/2010
4 Summary Judgment Hearing: Wednesday, 6/2/2010 10:00 a.m.

5 Dated: March 23, 2010

6 Respectfully submitted,

7 By: /s/ Edward W. Goldstein
8 Michael E. Dergosits
9 Teddy K. Joe
10 DERGOSITS & NOAH, L.L.P.

11 By: /s/ Andrew T. Oliver
12 Theodore T. Herhold
13 Andrew T. Oliver
14 Eric M. Hutchins

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25 ATTORNEYS FOR PLAINTIFF AND
26 COUNTERDEFENDANT
27 TEXTSCAPE LLC

28 Attorneys for Defendant and
Counterclaimant ADOBE SYSTEMS
INCORPORATED

[PROPOSED] ORDER

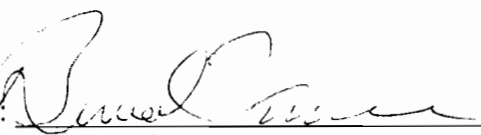
Pursuant to stipulation of the parties, the Court amends the schedule set forth in
its order of March 2, 2010 (Docket #30) as follows:

Summary Judgment Moving Papers Due: Friday, 4/16/2010

All other deadlines shall remain unchanged.

SO ORDERED.

Dated: March 23, 2010

By: 
Bernard Zimmerman
United States Magistrate Judge

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