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1 2 3 4 5 6 7 8	KING & KELLEHER, LLP Edward Vincent King, Jr. (SBN 085726) Dirk Van Ausdall (SBN 117279) Four Embarcadero Center, 17 th Floor San Francisco, CA 94111 Telephone: (415) 781-2888 Facsimile: (415) 781-3011 E-mail: evking@kingandkelleher.com E-mail: dvanausdall@kingandkelleher.com Attorneys for Plaintiff and Counterclaim-Defendant JAIME PORIS	IRELL & MANELLA LLP Samuel K. Lu (SBN 171969) Justin E. Klaeb (SBN 254035) 1800 Avenue of the Stars, Suite 900 Los Angeles, California 90067-4276 Telephone: (310) 277-1010 Facsimile: (310) 203-7199 E-mail: slu@irell.com E-mail: jklaeb@irell.com Attorneys for Defendant and Counterclaimant NOVELLUS SYSTEMS, INC.	
9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRICT OF CALIFORNIA		
11	SAN FRANCISCO DIVISION		
12	JAIME PORIS,	Case No. CV 10-0947 JSW	
13	Plaintiff and		
14	Counterclaim-Defendant,	 JOINT STIPULATION REGARDING BRIEFING AND HEARING SCHEDULE FOR PARTIES' 	
15	VS. NOVELLUS SYSTEMS, INC.,	MOTIONS FOR SUMMARY JUDGMENT AND ORDER THEREON	
16 17	Defendant and Counterclaimant.)))	
18))	
19	WHEREAS, Defendant and Counterclaimant Novellus Systems, Inc. ("Novellus") filed		
20	its Motion for Summary Judgment of Non-Infringement on February 10, 2012 (ECF No. 77);		
21	WHEREAS, Plaintiff and Counter-Defendant Jaime Poris ("Poris") filed a Motion for		
22	Partial Summary Judgment on May 4, 2012 (ECF No. 84);		
23	WHEREAS, the parties have determined that they intend to conduct discovery, including		
24	document requests and depositions, in order to respond to the pending motions;		
25	WHEREAS, under the current briefing schedule pursuant to the Joint Stipulation		
26	Regarding Briefing and Hearing Schedule for Novellus Systems, Inc.'s Motion for Summary		
27	Judgment of Non-Infringement and Order Thereon (ECF No. 79), Poris' response to Novellus'		
28	Motion for Summary Judgment of Non-Infringement is due May 11, 2012, and Novellus' reply		
	JOINT STIPULATION REGARDING BRIEFING AND HEARING SCHEDULE FOR NOVELLUS' MOTION FOR SUMMARY JUDGMENT	1 - Case No. CV 10-0947 JSW	
		Dockets.Justia.	

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1 in support of the motion is due May 30, 2012;

WHEREAS, under the current briefing schedule pursuant to Rule 7-3 of the Civil Local
Rules for the United States District Court, Northern District of California, Novellus' response to
Poris' Motion for Partial Summary Judgment is due May 18, 2012 and Poris' reply in support of
the motion is due May 25, 2012;

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WHEREAS, the hearing on both motions is currently scheduled for June 15, 2012;

WHEREAS, the parties agree that the current briefing and hearing schedule does not
provide a sufficient amount of time for the parties to conduct discovery related to the motions
and for the parties to prepare their respective response and reply briefs;

10 NOW, THEREFORE, the parties stipulate to the following: Poris' response to Novellus' 11 Motion for Summary Judgment of Non-Infringement shall be due by July 20, 2012; Novellus' 12 reply in support of its Motion for Summary Judgment of Non-Infringement shall be due by 13 August 17, 2012; Novellus' response to Poris' Motion for Partial Summary Judgment shall be 14 due by July 20, 2012; Poris' reply in support of his Motion for Partial Summary Judgment shall 15 be due by August 17, 2012; Novellus' shall file any Motion to Strike Poris' Motion for Partial 16 Summary Judgment by May 11, 2012; Poris' opposition to Novellus' Motion to Strike shall be 17 due by July 20, 2012; and Novellus' reply in support of its Motion to Strike shall be due by August 17, 2012. The hearing on all motions referenced herein shall be rescheduled for 18 19 September 14, 2012 at 9:00 a.m. The parties further stipulate that this stipulation is premised on 20 the parties' mutual assumption that necessary discovery will be obtained without recourse to the 21 Court and without undue delay because of witness unavailability. The parties agree that either 22 party may seek further modification of this schedule from the Court in the event of unforeseen 23 discovery delays.

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JOINT STIPULATION REGARDING BRIEFING AND HEARING SCHEDULE FOR NOVELLUS' MOTION FOR SUMMARY JUDGMENT

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1	Respectfully stipulated to by:		
2	KING & KELLEHER, LLP	RELL & MANELLA LLP	
3 4	By: <u>/s/ Edward Vincent King, Jr.</u> B	y: <u>/s/ Justin E. Klaeb</u> Justin E. Klaeb	
5 6	Counterclaim-Defendant	ttorneys for Defendant and Counterclaimant OVELLUS SYSTEMS, INC.	
7	,		
8	Date: May 9, 2012	ate: May 9, 2012	
9	ATTESTATION OF CONCURRENCE		
10	I hereby attest that concurrence in the filing of the document has been obtained from the		
11	other signatory.		
12	/s/ Edward Vincent King, Jr.		
13	Edward	Vincent King, Jr.	
14	PURSUANT TO STIPULATION, IT IS SO ORDERED.		
15	\mathcal{A}		
16		rug Storhits	
17	United States	White District Judge	
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	-3- JOINT STIPULATION REGARDING BRIEFING AND HEARING	Case No. CV 10-0947 JSW	
	SCHEDULE FOR NOVELLUS' MOTION FOR SUMMARY JUDGMENT		