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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WIAV NETWORKS, LLC,)	CASE NO.: 3:10-CV-03448-WHA
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER REGARDING CLAIM
v.)	CONSTRUCTION BRIEFING
)	SCHEDULE
3COM CORPORATION, <i>et al.</i> ,)	
)	
Defendants.)	
)	

1 WHEREAS Patent Local Rule 4-5 provides that, in a patent case, “the party claiming patent
2 infringement . . . shall serve and file an opening brief” and a “reply brief” and “each opposing party
3 shall serve and file [a] responsive brief,” and thus, in a typical single defendant patent case, only a
4 total of three claim construction briefs are to be submitted to the Court under the Patent Local
5 Rules;

6 WHEREAS the parties’ “Proposed Order Re Schedule for Claim Construction,” and the
7 resulting order entered by the Court (Dkt. No. 590), states that “[e]ach party shall submit its
8 Opening Claim Construction Brief,” “[e]ach party shall submit its Responsive Claim Construction
9 Brief,” and “[e]ach party shall submit its Reply Claim Construction Brief,” implying that a total of
10 six claim construction briefs are to be submitted to the Court in this case;

11 WHEREAS to conserve the resources of the parties and the Court by reducing the total
12 number of claim construction briefs submitted;

13 Plaintiff WiAV Networks, LLC and Defendant Hewlett-Packard Company, by their
14 respective counsel of record, hereby stipulate to modify the October 18, 2010 “Order Re Schedule
15 for Claim Construction” (“the Order”) as follows:

16 1. Paragraph 8 of the Order is stricken and replaced with the following: “Plaintiff
17 WiAV Networks, LLC shall submit its Opening Claim Construction Brief and any supporting
18 evidence by March 23, 2011.”

19 2. Paragraph 9 of the Order is stricken and replaced with the following: “Defendant
20 Hewlett-Packard Company shall submit its Responsive Claim Construction brief and supporting
21 evidence by April 5, 2011.”

22 3. Paragraph 10 of the Order is stricken and replaced with the following: “Plaintiff
23 WiAV Networks, LLC shall submit its Reply Claim Construction Brief and any rebuttal evidence
24 by April 12, 2011.”

25 ///

26 ///

27 ///

28 ///

1 Respectfully submitted,

2
3 Dated: March 17, 2010

LEE, HONG, DEGERMAN, KANG & WAIMEY

4
5 By: /s/ Mark L. Sutton

Mark L. Sutton (SBN 120255)

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14 & FLOM, LLP

15 By: /s/ Andrew N. Thomases

16 ANDREW N. THOMASES

17 Attorneys for Defendant


HEWLETT PACKARD COMPANY

18 **FILER'S ATTESTATION: PURSUANT TO GENERAL ORDER NO. 45**

19 Pursuant to General Order no. 45, Section X(B), Andrew N. Thomases hereby attests that
20 concurrence in the filing of this document has been obtained.

21 PURSUANT TO THE FOREGOING STIPULATION
22 IT IS SO ORDERED:

23 Dated: March 18, 2010

24 
25 HON. WILLIAM ALESUP
26 UNITED STATES DISTRICT JUDGE
27 NORTHERN DISTRICT OF CALIFORNIA
28