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14 Attorneys for CISCO SYSTEMS, INC.

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

20 IMPLICIT NETWORKS, INC.,
 Plaintiff,
 21
 v.
 22
 23 CISCO SYSTEMS, INC.,
 Defendant.
 24

Case No. 10-CV-03606 (SI)
STIPULATION AND ~~[PROPOSED]~~
ORDER CHANGING TIME FOR
INVALIDITY CONTENTIONS AND
ACCOMPANYING DOCUMENT
PRODUCTION PURSUANT TO CIVIL
L.R. 6-2(A)

1 By this stipulation, plaintiff Implicit Networks, Inc. and defendant Cisco Systems, Inc.
2 (“Cisco”) hereby stipulate and request an order changing time to postpone the due date for Cisco’s
3 invalidity contentions and accompanying document production until July 22, 2011, from May 9,
4 2011. This extension of time will align Cisco’s deadline with the deadlines in the related cases
5 brought by plaintiff against Juniper Networks, Inc. (Case No. C 10-4234 SI) and F5 Networks,
6 Inc. (Case No. 10-CV-3365), and will provide Cisco the time necessary to prepare its invalidity
7 contentions pursuant to Patent L.R. 3-3 and 3-4. See Declaration of Melissa N. Chan In Support
8 Of Order Changing Time Pursuant to Civil L.R. 6-2(a), filed concurrently herewith. No other due
9 dates set forth in the Court’s March 3, 2011 Stipulated Case Management Schedule and Order
10 (Dkt. No. 46, Ex. A) are to be changed by this stipulation.

11
12 DATED: May 5, 2011

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

13
14 By /s/ Melissa N. Chan

15 Melissa N. Chan
16 Attorneys for Defendant
CISCO SYSTEMS, INC.

17
18 HOSIE RICE LLP

19 DATED: May 5, 2011

20 By /s/ Spencer Hosie

21 Spencer Hosie
22 Attorney for Plaintiff
IMPLICIT NETWORKS, INC.

23 I hereby attest pursuant to General Order 45.X.B. that concurrence in the electronic filing
24 of this document has been obtained from the other signatories.


25 DATED: May 5, 2011

26 /s/ Melissa N. Chan
27 Melissa N. Chan

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PURSUANT TO STIPULATION IT IS ORDERED THAT the March 3, 2011
Stipulated Case Management Schedule and Order in this action is amended such that Cisco's
invalidity contentions and accompanying document production are due on July 22, 2011.

Dated: May 5, 2011



Honorable Susan Illston
U.S. DISTRICT COURT JUDGE

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

20 IMPLICIT NETWORKS, INC.,
21 Plaintiff,
22 v.
23 CISCO SYSTEMS, INC.,
24 Defendant.

Case No. 10-CV-03606 (SI)

**DECLARATION OF MELISSA N. CHAN
IN SUPPORT OF STIPULATION AND
[PROPOSED] ORDER CHANGING TIME
FOR INVALIDITY CONTENTIONS AND
ACCOMPANYING DOCUMENT
PRODUCTION PURSUANT TO CIVIL
L.R. 6-2(A)**

1 I, Melissa N. Chan, declare as follows:

2 1. I am an associate with the law firm of Quinn Emanuel Urquhart & Sullivan LLP
3 and counsel for Defendant Cisco Systems, Inc. (“Cisco”). I submit this declaration in support of
4 the parties’ stipulation and proposed order changing time for Cisco’s invalidity contentions and
5 accompanying document production, pursuant to Civil L.R. 6-2. I am personally familiar with and
6 knowledgeable about the facts stated in this declaration and if called upon could and would testify
7 competently as to the statements made herein..

8 2. Through this declaration and the parties’ Stipulation and [Proposed] Order
9 Changing Time for Invalidity Contentions and Accompanying Document Production Pursuant to
10 Civil L.R. 6-2(a), Cisco requests to move the due date for its invalidity contentions and
11 accompanying document production (Patent L.R. 3-3 and 3-4) from May 9, 2011 to July 22, 2011.

12 3. On March 3, 2011, the Court entered an Order on the Case Management Schedule
13 for *Implicit Networks, Inc. v. Cisco Systems, Inc.*, Case No. CV-10-3606 SI; *Implicit Networks,*
14 *Inc. v. F5 Networks, Inc.*, Case No. CV-10-3365 SI (“F5”); *Implicit Networks, Inc. v. Citrix*
15 *Systems, Inc.*, CV-10-3766 SI (“Citrix”); *Implicit Networks, Inc. v. Hewlett-Packard Company,*
16 *CV-10-3746 SI (“HP”); Implicit Networks, Inc. v. Juniper Networks, Inc.*, CV-10-4234 SI
17 (“Juniper”) (collectively, the “Implicit Related Cases”). (Dkt. No. 46.) In that Order, the parties
18 stipulated, and the Court ordered, that the deadline for invalidity contentions in the HP, F5, Citrix
19 and Cisco cases be set on May 9, 2011, and that the deadline for invalidity contentions in the
20 Juniper case be set on July 22, 2011. (*Id.*, Ex. A.)

21 4. I understand that the Court has dismissed the Citrix case with prejudice. (*See*
22 *Implicit Networks, Inc. v. Citrix Systems, Inc.*, CV-10-3766 SI, Dkt. No. 49.)

23 5. I understand from counsel for F5 Networks that F5 has reached an agreement with
24 plaintiff to extend F5’s deadline for invalidity contentions to July 22, 2011.

25 6. To maintain consistency in the deadlines for invalidity contentions amongst most of
26 the Implicit Related Cases (Cisco, F5, Juniper), Cisco respectfully requests that its deadline for
27 invalidity contentions also be set for July 22, 2011. The additional time is also necessary for
28 Cisco to be able to complete its invalidity contentions.

1 7. The parties previously modified the scheduling order in this case on September 1,
2 2010, stipulating to postpone by 45 days the due date for Cisco's answer to Plaintiff's Complaint.
3 Dkt. No. 10.

4 8. The parties further previously modified the scheduling order in this case on January
5 1, 2011, stipulating to postpone from January 12, 2011 to February 15, 2011 the deadline to hold
6 an ADR session. Dkt. Nos. 33, 35.

7 9. The parties further previously modified the scheduling order in this case on
8 February 15, 2011, stipulating to postpone from February 15, 2011 to May 20, 2011 the deadline
9 to hold an ADR session. Dkt. Nos. 39, 40.

10 10. The requested time modification should not have any effect on the remainder of the
11 schedule for this case.

12 I hereby declare under penalty of perjury under the laws of the United States that the
13 foregoing is true and correct.

14
15 DATED: May 5, 2011

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

16
17 By /s/ Melissa N. Chan

18 Melissa N. Chan
19 Attorneys for Defendant
20 CISCO SYSTEMS, INC.

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