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 9 INDUSTRY CO., LTD. and FOXCONN
 ELECTRONICS, INC.
 10

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION
 14

15 LOTES CO. LTD., a Taiwan Corporation,
 16 Plaintiff and Counterclaim Defendants,
 17 v.
 18 HON HAI PRECISION INDUSTRY CO.,
 LTD., a Taiwan Corporation, and FOXCONN
 19 ELECTRONICS, INC., a California
 Corporation,
 20
 21 Defendants and
 Counterclaimants.
 22

Case No. 3:11-cv-01036-WHA
~~JOINT STIPULATION AND PROPOSED~~ ORDER MODIFYING
 CLAIM CONSTRUCTION
 DISCOVERY AND BRIEFING
 SCHEDULE

1 Defendants and Counterclaimants Hon Hai Precision Industry Co. Ltd. and Foxconn
2 Electronics, Inc. (collectively “Foxconn”) and Plaintiff and Counterclaim Defendant Lotes Co.
3 Ltd. (“Lotes”) file this joint stipulation respectfully requesting an Order modifying deadlines for
4 claim construction discovery and claim construction briefing.

5 WHEREAS, pursuant to Patent L.R. 4-4, claim construction discovery, including any
6 depositions with respect to claim construction of any witnesses, including experts, must currently
7 be completed by January 23, 2017.

8 WHEREAS, pursuant to Patent L.R. 4-5, the opening claim construction brief is currently
9 due on February 6, 2017, the responsive claim construction brief is currently due on February 21,
10 2017, and the reply claim construction brief is currently due on February 28, 2017.

11 WHEREAS, the Parties have agreed to stipulate to request an extension of the claim
12 construction discovery and claim construction briefing dates to accommodate the schedules of the
13 Parties’ experts. In particular, Foxconn’s expert, Dr. Michael G. Pecht, is working in Asia
14 through early February and will not be available for a deposition until February 10, 2017. Lotes’s
15 expert, Dr. Vijay Gupta, will be available for deposition on February 17, 2017.

16 WHEREAS, the Parties have stipulated that the depositions of Drs. Pecht and Gupta shall
17 be limited to issues relating to claim construction, and that these depositions shall not preclude
18 later depositions on these experts’ respective reports, as provided for pursuant to the Case
19 Management Order. Dkt. 228, ¶ 5.

20 WHEREAS, this brief extension will not impact any other dates on the trial schedule
21 because there will be no separate claim construction hearing pursuant to the Case Management
22 Order. Dkt. 228, ¶ 18. The close of non-expert discovery will remain on June 30, 2017. The
23 deadline to file dispositive motions will remain on July 27, 2017. The start of trial will remain on
24 November 6, 2017. There have been no previous time modifications in this case.

25 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between
26 the Parties, through their respective attorneys of record, and subject to approval by the Court, the
27 following schedule:

28

Event	Previous Date	New Date
P.L.R. 4-4 Completion of Claim Construction Discovery	Monday, January 23, 2017	Friday, February 17, 2017
4-5(a) Opening Claim Construction Brief	Monday, February 6, 2017	Friday, March 3, 2017
4-5(b) Responsive Claim Construction Brief	Tuesday, February 21, 2017	Friday, March 17, 2017
4-5(c) Reply Claim Construction Brief	Tuesday, February 28, 2017	Friday, March 24, 2017

Dated: January 17, 2017

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Don Daybell

DON DAYBELL
Attorneys for Defendants HON HAI PRECISION
INDUSTRY CO., LTD. and FOXCONN
ELECTRONICS, INC.

Dated: January 17, 2017

SHEPPART, MULLIN, RICHTER & HAMPTON LLP

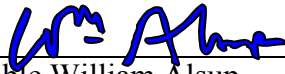
By: /s/ Darren M. Franklin

DARREN M. FRANKLIN
Attorneys for Plaintiff and Counterclaim Defendant
LOTES CO., LTD.

Filer's Attestation: I, Don Daybell, am the ECF User whose User ID and password are being used to file this Stipulation. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that I have obtained concurrence in the filing of this document from the above-listed signatories.

PURSUANT TO STIPULATION, IT IS SO ORDERED. Counsel shall not use the schedule modifications granted herein as a basis for requesting any continuances of trial dates.

Dated: January 19, 2017.

By: 
The Honorable William Alsup
United States District Judge