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10 Attorneys for Defendant and Counterclaimant
SONY COMPUTER ENTERTAINMENT
11 AMERICA LLC

12
13 **UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**
16

17 OLYMPIC DEVELOPMENTS AG, LLC,

18 Plaintiff,

19 v.

20 SONY COMPUTER ENTERTAINMENT
21 AMERICA LLC,

22 Defendant.

23 SONY COMPUTER ENTERTAINMENT
24 AMERICA LLC,

25 Counterclaimant,

26 v.

27 OLYMPIC DEVELOPMENTS AG, LLC,

28 Counterdefendant.

Case No. C-11-01080 JCS

Judge: Hon. Joseph C. Spero

**JOINT STIPULATION AND
[PROPOSED] ORDER TO
CONTINUE PENDING CASE
MANAGEMENT AND ADR
DEADLINES; DECLARATION OF
ABRAN J. KEAN IN SUPPORT**

1 Pursuant to Civil L.R. 6-2 and 7-12, Plaintiff Olympic Developments AG, LLC (“Plaintiff”)
2 and Defendant Sony Computer Entertainment America LLC (“SCEA”) (jointly, the “Parties”)
3 stipulate and request that the Initial Case Management Conference and all other pending deadlines
4 set by this Court’s March 8, 2011 Order Setting Initial Case Management Conference and ADR
5 Deadlines (Dkt 69) be continued as set forth below. Pursuant to Civil L.R. 6-2, this joint stipulation
6 is based on the accompanying declaration of Abran J. Kean, which sets forth the following facts
7 upon which the Parties agree:

8 1. In a separate action currently pending before the Honorable Edward J. Davila of this
9 Court, *Olympic Developments AG, LLC v. Apple, Inc., et al.*, Northern District of California Case
10 No. C-11-016555 (the “SEL Action”), Plaintiff currently asserts claims against Sony Electronics Inc.
11 (“SEL”) and other defendants arising out of the same patents at issue in this action. In the SEL
12 Action, SEL also asserts counterclaims against Plaintiff regarding the same patents that are at issue
13 in SCEA’s counterclaims in this action. SEL’s counsel in the SEL Action is the same as SCEA’s
14 counsel in this action.

15 2. As contemplated in the Parties’ June 3, 2011 stipulation (Dkt 87), Plaintiff, SCEA,
16 and SEL have agreed that the convenience of all parties and consistent and efficient judicial
17 management would benefit from removing Plaintiff’s and SEL’s claims from the SEL Action and
18 asserting them in this action.

19 3. In order to permit time for the Parties to effectuate that rearranging of the claims in
20 both the SEL Action and this action, and to avoid unnecessary duplication of effort in this Court
21 after this case is at issue, the Parties request that the deadlines currently set by the Court’s March 8,
22 2011 Order Setting Initial Case Management Conference and ADR Deadlines be continued to track
23 similar deadlines currently set in the SEL Action, as follows:

24 (a) the last day to meet and confer regarding initial disclosures, early settlement,
25 ADR process selection, and a discovery plan, file the ADR Certification and file either the
26 Stipulation to ADR Process or Notice of Need for ADR Phone Conference shall be continued
27 from June 17, 2011 to August 26, 2011;
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(b) the last day to file a Fed. R. Civ. P. 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement shall be continued from June 17, 2011 to September 9, 2011; and

(c) the Initial Case Management Conference currently set in this case on June 24, 2011 at 1:30 PM be continued to September 16, 2011 at 1:30 PM or any later date or time convenient to the Court.

4. The following are the prior time modifications in the case, whether by stipulation or Court order:

(a) On March 25, 2011, the Parties stipulated to extend SCEA's time to respond to Plaintiff's First Amended Complaint to April 25, 2011;

(b) On April 25, 2011, the Court vacated the April 25, 2011 deadline for SCEA to respond to Plaintiff's First Amended Complaint, instead permitting Plaintiff to file a Second Amended Complaint that same day; and

(c) On June 3, 2011, the Parties stipulated to extend ADR deadlines for 14 days to June 17, 2011 to permit the Parties to finalize the agreement set forth above.

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1 WHEREFORE, the Parties, through their respective counsel, hereby stipulate to and
2 respectfully request this Court to enter an Order continue the pending case management and ADR
3 deadlines, as stated above.

4
5 Dated: June 16, 2011

Respectfully submitted,

WHITE FIELD, INC.

By: /s/ Steven W. Ritcheson

Steven W. Ritcheson
ATTORNEY FOR PLAINTIFF OLYMPIC
DEVELOPMENTS AG, LLC

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11 Dated: June 16, 2011

Respectfully submitted,

SHOOK, HARDY & BACON

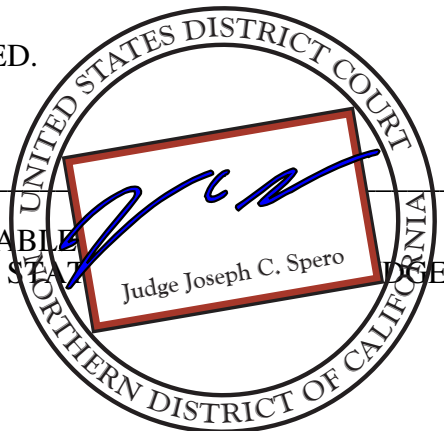
By: /s/ Eric A. Buresh

Eric A. Buresh
ATTORNEYS FOR DEFENDANT
SONY COMPUTER ENTERTAINMENT
AMERICA LLC
and
ATTORNEYS FOR NON-PARTY SONY
ELECTRONICS INC.

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18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

19
20 Dated: 06/17/11

21 HONORABLE
22 UNITED STATES



JUDGE

1 **DECLARATION OF ABRAN J. KEAN**

2 I, Abran J. Kean, declare as follows:

3 1. I am an attorney at the law firm of Shook, Hardy & Bacon L.L.P. and I am counsel
4 for Defendant, Sony Computer Entertainment America LLC (“SCEA”) in this action. I make this
5 declaration based on my own personal knowledge. I could and would testify to the matters set forth
6 if called upon to do so.

7 2. In a separate action currently pending before the Honorable Edward J. Davila of this
8 Court, *Olympic Developments AG, LLC v. Apple, Inc., et al.*, Northern District of California Case
9 No. C-11-016555 (the “SEL Action”), Plaintiff currently asserts claims against Sony Electronics Inc.
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26 from June 17, 2011 to August 26, 2011;

