

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
MOUNTAIN VIEW

1 QUINN EMANUEL URQUHART &  
2 SULLIVAN, LLP  
3 John B. Quinn (Bar No. 90378)  
4 865 S Figueroa St 10th Floor  
5 Los Angeles, CA 90017  
6 Telephone: (213) 443-3000  
7 Facsimile: (213) 443-3100  
8 Email: johnquinn@quinnemanuel.com

9 David Eiseman (Bar No. 114758)  
10 Melissa J. Baily (Bar No. 237649)  
11 Carl G. Anderson (Bar No. 239927)  
12 50 California Street, 22nd Floor  
13 San Francisco, California 94111  
14 Telephone: (415) 875 6600  
15 Facsimile: (415) 875 6700  
16 Email: davideiseman@quinnemanuel.com  
17 melissabaily@quinnemanuel.com  
18 carlanderson@quinnemanuel.com

19 Attorneys for Plaintiffs  
20 Barnes & Noble, Inc. and  
21 barnesandnoble.com llc

22 UNITED STATES DISTRICT COURT  
23 NORTHERN DISTRICT OF CALIFORNIA  
24 SAN FRANCISCO DIVISION

25 BARNES & NOBLE, INC. and  
26 BARNESANDNOBLE.COM LLC,

27 Plaintiffs,

28 v.

29 LSI CORPORATION and  
30 AGERE SYSTEMS INC.,

31 Defendants.

32 CHARLENE M. MORROW (CSB NO.  
33 136411)  
34 cmorrow@fenwick.com  
35 VIRGINIA K. DEMARCHI (CSB NO.  
36 168633)  
37 vdemarchi@fenwick.com  
38 HECTOR J. RIBERA (CSB NO. 221511)  
39 hribera@fenwick.com  
40 RAVI RANGANATH (CSB NO. 272981)  
41 rranganath@fenwick.com  
42 YIXIN ZHANG (CSB No. 270527)  
43 yzhang@fenwick.com  
44 FENWICK & WEST LLP  
45 Silicon Valley Center  
46 801 California Street  
47 Mountain View, California 94041  
48 Telephone: (650) 988-8500  
49 Facsimile: (650) 938-5200

50 Attorneys for Defendants  
51 LSI Corporation and  
52 Agere Systems Inc.

53 Case No. 11-cv-02709 EMC

54 **JOINT STIPULATION AND**  
55 **[PROPOSED] ORDER REGARDING**  
56 **SECOND AMENDMENT TO JANUARY**  
57 **31, 2012 CASE MANAGEMENT ORDER**

58 Trial Date: None set

59 Pursuant to Local Rule 6-2, Plaintiffs Barnes & Noble, Inc. and barnesandnoble.com llc  
60 (“Plaintiffs”) and Defendants LSI Corporation and Agere Systems Inc. (“Defendants”)  
61 (collectively, the “Parties”), by and through their respective counsel of record, stipulate as recited  
62 below and jointly request that the Court amend the current case management schedule as set forth

63 STIPULATION REGARDING TIME FOR  
64 PATENT LOCAL RULE DISCLOSURES

65 CASE NO.: 11-CV-02709 EMC

1 below.

2 WHEREAS, the Court, by Order dated January 31, 2012 [Dkt. No. 84], issued a Case  
3 Management Order setting forth the case schedule through claim construction;

4 WHEREAS, the Court, by Order dated March 26, 2012 [Dkt. No. 92], amended that  
5 schedule;

6 WHEREAS, at the Further Case Management Conference on June 19, 2012 [Dkt. No.  
7 119], the Court directed the parties to submit a joint stipulation with a revised case schedule  
8 incorporating deadlines for Plaintiffs to respond to Defendants' Interrogatory Nos. 9, 13, 15, and  
9 16 and for Defendants to respond to Plaintiffs' Patent Local Rule 3-3 disclosures;

10 WHEREAS, Plaintiffs have agreed to serve substantive responses to Defendants'  
11 Interrogatory Nos. 9, 13, 15 and 16 on or before September 24, 2012, the date they are due to  
12 serve their invalidity contentions and related disclosures pursuant to Patent Local Rules 3-3 and  
13 3-4;

14 WHEREAS, Defendants have agreed to provide on or before November 5, 2012 a  
15 substantive response to each of Plaintiffs' invalidity contentions, including but not limited to an  
16 explanation of why Defendants contend that the prior art cited in Plaintiffs' invalidity contentions  
17 does not render each asserted claim anticipated or obvious;

18 WHEREAS, at the Further Case Management Conference on June 19, 2012 [Dkt. No.  
19 119], the parties and the Court agreed that material presented at the technology tutorial would not  
20 be admissible for any purpose or be used during cross-examination;

21 THE PARTIES HEREBY STIPULATE that, in view of the foregoing, material presented  
22 at the technology tutorial shall not be admissible for any purpose or be used during cross  
23 examination, and the case schedule shall be modified as set forth below:

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Event	Proposed Date
Disclosure of Asserted Claims and Infringement Contentions and Accompanying Document Production	7/23/12
Disclosure of Invalidity Contentions and Accompanying Document Production	9/24/12
Plaintiffs to Provide Substantive Responses to Defendants' Interrogatory Nos. 9, 13, 15 and 16	9/24/12
Exchange Proposed Terms and Claim Elements for Construction	10/25/12
Defendants to Provide Substantive Responses to Plaintiffs' Invalidity Contentions	11/5/12
Exchange Preliminary Claim Constructions and Supporting References	11/15/12
File Joint Claim Construction and Prehearing Statement	12/13/12
ADR Deadline	12/21/12
Completion of Claim Construction Discovery	1/10/13
Serve and File Opening Claim Construction Brief	1/24/13
Serve and File Claim Construction Response Brief	2/7/13
Serve and File Claim Construction Reply Brief	2/14/13
Serve and File Claim Construction Sur-Reply Brief	2/21/13
Tutorial (subject to the Court's availability)	2/25/13 & 2/26/13 (2:30-4:30pm)
Claim Construction Hearing (subject to the Court's availability)	3/11/13, 3/12/13 & 3/13/13 (9:30-4:30pm) (9:30-1:30pm)

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Dated: July 19, 2012

FENWICK & WEST LLP

By: /s/ Ravi Ranganath  
Ravi Ranganath  
Attorneys for Defendants  
LSI Corporation and Agere Systems Inc.

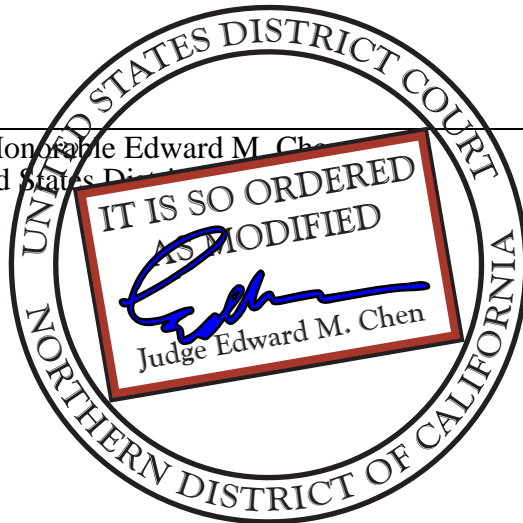
Dated: July 19, 2012

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

By: /s/ Carl G. Anderson  
Carl G. Anderson  
Attorneys for Plaintiffs  
Barnes & Noble, Inc. and  
barnesandnoble.com llc

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Honorable Edward M. Chen  
United States District Court



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**ATTESTATION PURSUANT TO GENERAL ORDER 45**

Pursuant to General Order No. 45, § X(B), regarding signatures, I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from its signatories.

Dated: July 19, 2012

FENWICK & WEST LLP

By: /s/ Ravi Ranganath  
Ravi Ranganath  
Attorneys for Defendants  
LSI Corporation and Agere Systems Inc.

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