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21 barnesandnoble.com llc

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Attorneys for Defendants  
LSI Corporation and  
Agere Systems Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

18 BARNES & NOBLE, INC. and  
19 BARNESANDNOBLE.COM LLC,  
20  
21 Plaintiffs,  
22  
23 v.  
24 LSI CORPORATION and  
25 AGERE SYSTEMS INC.,  
26  
27 Defendants.

Case No. 11-cv-02709 EMC

**JOINT STIPULATION AND  
[PROPOSED] ORDER REGARDING  
THIRD AMENDMENT TO JANUARY  
31, 2012 CASE MANAGEMENT ORDER**  
(Modified)  
Trial Date: None set

25 Pursuant to Local Rule 6-2, Plaintiffs Barnes & Noble, Inc. and barnesandnoble.com llc  
26 (“Plaintiffs”) and Defendants LSI Corporation and Agere Systems Inc. (“Defendants”)  
27 (collectively, the “Parties”), stipulate as recited below and jointly request that the Court amend  
28 the current case management schedule as set forth below.

STIPULATION REGARDING TIME FOR  
PATENT LOCAL RULE DISCLOSURES

CASE NO.: 11-CV-02709 EMC

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

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

5           WHEREAS, the Court, by Order dated July 23, 2012 [Dkt. No. 123] further amended the  
6 case schedule, incorporating deadlines for Plaintiffs to respond to Defendants' Interrogatory Nos.  
7 9, 13, 15, and 16 and for Defendants to respond to Plaintiffs' Patent Local Rule 3-3 disclosures;

8           WHEREAS, Plaintiffs have requested an approximately one-month extension to the case  
9 schedule in order to accommodate scheduling difficulties due to Plaintiffs' counsels' obligations  
10 in other matters;

11           WHEREAS, Defendants do not object to the extension of the case schedule, provided the  
12 Court is available on the alternative dates it had previously suggested to the parties for claim  
13 construction and the tutorial;

14           THE PARTIES HEREBY STIPULATE and jointly request that, in view of the foregoing,  
15 the case schedule shall be modified as set forth below:  
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Event	Proposed Date
Disclosure of Invalidity Contentions and Accompanying Document Production	10/24/12
Plaintiffs to Provide Substantive Responses to Defendants' Interrogatory Nos. 9, 13, 15 and 16	10/24/12
Exchange Proposed Terms and Claim Elements for Construction	11/30/12
Defendants to Provide Substantive Responses to Plaintiffs' Invalidity Contentions	12/5/12
Exchange Preliminary Claim Constructions and Supporting References	12/21/12
File Joint Claim Construction and Prehearing Statement	1/18/13
ADR Deadline	1/25/13
Completion of Claim Construction Discovery	2/15/13
Serve and File Opening Claim Construction Brief	3/1/13
Serve and File Claim Construction Response Brief	3/15/13
Serve and File Claim Construction Reply Brief	3/22/13
Serve and File Claim Construction Sur-Reply Brief	3/29/13
Tutorial (subject to the Court's availability)	4/22/13 & 4/23/13
Claim Construction Hearing (subject to the Court's availability)	4/29/13, 4/30/13, and 5/1/13

~~(4/22 9:30-4:30)~~  
~~(4/23 9:30-1:30)~~  
~~(4/29 and 4/30 - 9:30-4:30)~~  
~~4/30 9:30-1:30)~~

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Dated: September 5, 2012

FENWICK & WEST LLP

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

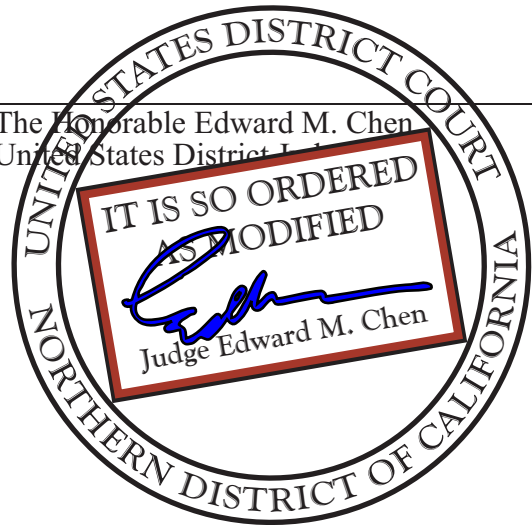
Dated: September 5, 2012

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 Judge



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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: September 5, 2012

FENWICK & WEST LLP

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

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