

1 John W. Carpenter (Cal. Bar No. 221708)
2 Law Offices of John W. Carpenter LLC
3 12 Metairie Court
4 Metairie, LA 70001-3032
5 Telephone: 1-415-577-0698
6 Facsimile: 1-866-410-6248
7 Email: john@jwcarpenterlaw.com

8 *Attorneys for Plaintiff,*
9 *Innovus Prime LLC*

Nicholas A. Brown (CA SBN 198210)
brownn@gtlaw.com
Greenberg Traurig LLP
4 Embarcadero Center, Suite 3000
San Francisco, CA 94111
Telephone: 415.655.1300
Facsimile: 415.707.2010

Richard D. Harris
harris@gtlaw.com
Kevin J. O'Shea
osheak@gtlaw.com
Greenberg Traurig LLP
77 West Wacker Drive
Chicago, IL 60601
Telephone: 312.456.8400
Facsimile: 312.456.8435

*Attorneys for Defendants LG Electronics, Inc.
and LG Electronics U.S.A., Inc.*

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16 INNOVUS PRIME LLC,
17 Plaintiff,

18 v.

19 LG ELECTRONICS, INC., et al.,
20 Defendant(s).

)
) Case No.: CV-1 1-4223 JW
)
) **STIPULATION AND ~~PROPOSED~~**
) **ORDER PURSUANT TO CIVIL LOCAL**
) **RULE 6-2 TO EXTEND DEADLINE**
) **FOR PLAINTIFF TO FILE ITS REPLY**
) **CLAIM CONSTRUCTION BRIEF**

1 Stipulation

2 Pursuant to Civil L.R. 6-2, Plaintiff Innovus Prime LLC (“INNOVUS”) and Defendants
3 LG Electronics Inc. et al. (collectively, “LG”) hereby stipulate to extend the deadlines for (i) LG
4 to file its Claim Construction Brief, and (ii) INNOVOUS to file its Reply Claim Construction
5 Brief.

6 At the most recent Case Management Conference, the Court set a claim construction
7 briefing schedule, pursuant to which INNOVUS’s Claim Construction Brief was due on
8 November 30, 2012; LG’s Claim Construction Brief was due on December 14, 2012; and
9 INNOVUS’s Reply Claim Construction Brief was due on December 21, 2012. (Rec. Doc. No.
10 170.) The Claim Construction Tutorial was scheduled to take place on February 27, 2013, and the
11 Claim Construction Hearing was scheduled for March 6, 2013. (*Id.*)

12 INNOVUS timely filed its Claim Construction Brief on November 30, 2012. (Rec. Doc.
13 No. 172.) However, due to unforeseen circumstances, including a deposition in another matter
14 that was necessarily scheduled during the week of December 10, 2012, LG was unable to finalize
15 and file its Claim Construction Brief by December 14, 2012. Accordingly, on December 14, 2012
16 the parties filed a Stipulation (Dkt. 173), and [Proposed] Order, requesting this Court to allow LG
17 to extend the deadline for LG’s Claim Construction Brief by one week, from December 14, 2012
18 to December 21, 2012, and to extend the deadline for INNOVUS’s Reply Claim Construction
19 Brief from December 21, 2012 to January 6, 2013, to accommodate the Christmas and New Year
20 holidays. On January 2, 2013 the Court signed the Order [Dkt.175].

21 Because of various reasons, including weather conditions and the holidays, a key principle
22 for INNOVUS has not been able to return to his office this past week in time to review
23 INNOVUS’s Reply Claim Construction Brief Reply. Accordingly, the parties wish to allow
24 INNOVUS to extend the deadline for INNOVUS’s Reply Claim Construction Brief from January
25 6, 2013 to January 14, 2013

1 This modification will not effect the remaining claim construction schedule for the Tutorial
2 and the Claim Construction Hearing.

3 This is the parties' second request to modify the claim construction briefing schedule

4 Accordingly, it is hereby stipulated and agreed that INNOVUS be allowed to file its Reply
5 Claim Construction Brief on January 14, 2013.

6

7

Respectfully submitted,

8

DATED: January 4, 2013

By: /s/ John W. Carpenter

9

JOHN W. CARPENTER (Cal. Bar No. 221708)

10

Law Offices of John W. Carpenter LLC

11

12 Metairie Court

12

Metairie, LA 70001-3032

13

Telephone: 1-415-577-0698

14

Facsimile: 1-866-410-6248

Email: john@jwcarpenterlaw.com

Attorneys for Plaintiff Innovus Prime LLC

15

DATED: January 4, 2013

By: /s/ Kevin J. O'Shea

16

Nicholas A. Brown (CA SBN 198210)

17

brownn@gtlaw.com

18

GREENBERG TRAUIG LLP

19

4 Embarcadero Center, Suite 3000

20

San Francisco, CA 94111

21

Telephone: 415.655.1300

22

Facsimile: 415.707.2010

23

Richard D. Harris

24

harris@gtlaw.com

25

Jeffrey G. Mote

26

motej@gtlaw.com

27

Kevin J. O'Shea

osheak@gtlaw.com

GREENBERG TRAUIG LLP

77 West Wacker Drive

Chicago, IL 60601

Telephone: 312.456.8400

Facsimile: 312.456.8435

*Attorneys for Defendants LG Electronics, Inc. and
LG Electronics U.S.A., Inc.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

ATTESTATION


I, John W. Carpenter, am the ECF User whose identification and password are being used to file this Stipulation to Extend Deadline for Plaintiff to File Its Reply Claim Construction Brief. I hereby attest that Defendant's counsel, Kevin J. O'Shea, has concurred in this filing.

DATED: January 4, 2013 /s/ John W. Carpenter

[PROPOSED] ORDER

PURSUANT TO STIPULATION AND UPON GOOD CAUSE SHOWN, IT IS SO ORDERED.

Dated: January 4, 2013



Honorable Jeffrey S. White
United States District Judge