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 15 *ROUND ROCK RESEARCH LLC*

16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**

19 SANDISK CORPORATION,
 20 Plaintiff and Counterclaim Defendant,
 21 vs.
 22 ROUND ROCK RESEARCH LLC,
 23 Defendant and Counterclaim Plaintiff.

Case No. 11-cv-05243-RS

STIPULATION AND AMENDED
~~PROPOSED~~ ORDER
MODIFYING CASE
MANAGEMENT SCHEDULING
ORDER AS MODIFIED BY THE COURT

25 Pursuant to Local Rule 7-12 and 16-2(e), Plaintiff and counterclaim defendant SanDisk
 26 Corporation (“SanDisk”) and defendant and counter-claim plaintiff Round Rock Research LLC
 27 (“Round Rock”) hereby stipulate to modify the Claim Construction portion of the Case Management
 28 Scheduling Order entered by the Court on April 6, 2012. On May 3, 2012, subsequent to the

1 issuance of the Case Management order, SanDisk filed an amended complaint adding a twelfth cause
 2 of action for declaratory relief with respect to U.S. Patent No. 6,845,053 (“the ’053 patent”). Round
 3 Rock filed a counterclaim for infringement of the ’053 patent on May 17, 2012, and SanDisk filed its
 4 reply on May 31, 2012. In an effort to incorporate the ’053 patent into the Claim Construction
 5 schedule and to resolve various disagreements between the parties regarding discovery and
 6 disclosures, the parties have agreed to modify the Claim Construction Schedule as follows:

| ACTIVITY | CURRENT DATE | NEW DATE |
|---|--------------------|--|
| SanDisk to serve invalidity contentions for all patents except the ’053 patent; SanDisk to produce documents pursuant to Patent L.R. 3-4(b) for all patents except the ’053 patent | June 15, 2012 | June 15, 2012 |
| Round Rock to serve updated infringement contentions to specifically identify accused products in its claim charts, including which claims/which products for the ’053 patent | -- | June 29, 2012 |
| SanDisk to serve its invalidity contentions on the ’053 patent and provide 3-4(a) document production as to all accused products and 3-4(b) production with regard to the ’053 patent | -- | July 27, 2012 |
| SanDisk to supplement its response to Round Rock Interrogatory No 1 based upon Round Rock’s updated infringement contentions | -- | July 27, 2012 |
| Parties to exchange proposed terms for construction in accordance with Patent L.R. 4-1(b) | June 29, 2012 | August 3, 2012 |
| The parties shall exchange preliminary claim constructions and extrinsic evidence | July 20, 2012 | August 24, 2012 |
| Parties shall file their joint claim construction and prehearing statement | August 14, 2012 | September 18, 2012 |
| Claim construction discovery shall be completed | September 14, 2012 | October 19, 2012 |
| Round Rock shall file its opening claim construction brief | September 27, 2012 | October 25, 2012 |
| SanDisk shall file its responsive claim construction brief | October 11, 2012 | November 8, 2012 |
| Round Rock shall file its claim construction reply brief | October 18, 2012 | November 15, 2012 |
| A Tutorial shall take place in Courtroom 3, 17 th Floor, 450 Golden Gate Avenue, San Francisco, California at 10:00 a.m. | November 5, 2012 | January 7, 2013 @ 10:00 am December 10, 2012 |
| A Claim Construction Hearing shall take place in Courtroom 3, 17 th Floor, 450 Golden Gate Avenue, San Francisco, California at 10:00 a.m. | November 7, 2012 | January 9, 2013 @ 10:00 am December 12, 2012 |

1 Pursuant to Local Rule 16-2(d)(4), the parties agree that these proposed changes will not alter
2 any ADR process or affect other dates set forth in the Court's April 6, 2012 Case Management Order
3 (e.g., this stipulation does not impact discovery cut-off or expert discovery).
4

5 Dated: June 8, 2012

VINSON & ELKINS LLP

6
7 By: /s/ Chuck P. Ebertin
Chuck P. Ebertin

8 Attorneys for Plaintiff and Counterclaim
9 Defendant SANDISK CORPORATION
10

11 Dated: June 8, 2012

DESMARAIS LLP

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13 By: /s/ John C. Spaccarotella
John C. Spaccarotella (*admitted pro hac vice*)

14 Attorneys for Defendant and Counterclaim
15 Plaintiff ROUND ROCK RESEARCH LLC
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18 **GENERAL ORDER 45, SECTION X.B.**

19 I, Chuck P. Ebertin, hereby attest that John Spaccarotella has concurred in the filing of this
20 document.

21 By: /s/ Chuck P. Ebertin
22 Chuck P. Ebertin
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~~PROPOSED~~ ORDER

Pursuant to the above stipulation, **IT IS SO ORDERED.**

Dated: June 11, 2012



Honorable Richard Seeborg
United States District Judge