

1 John H. Barr, Jr. (TX 00783605)  
 John.Barr@bglp.com  
 2 Christopher A. Shield (TX 24046833)  
 Chris.Shield@bglp.com  
 3 Bracewell & Giuliani LLP  
 711 Louisiana Street, Suite 2300  
 4 Houston, Texas 77002-2770  
 Telephone: (713) 223-2300  
 5 Facsimile: (800) 404-3970

6 *PRO HAC VICE*

7 Martin L. Pitha (CA 192447)  
 mpitha@slplawfirm.com  
 8 Smith Lillis Pitha LLP  
 18201 Von Karman Avenue, Suite 1080  
 9 Irvine, CA 92612  
 Telephone: (949) 209-9020  
 10 Facsimile: (415) 217-7011

11 ATTORNEYS FOR DEFENDANT  
12 EBAY INC.

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

16 MASTEROBJECTS, INC.  
 17  
 Plaintiff,  
 18  
 v.  
 19  
 EBAY, INC.  
 20  
 Defendant.

Case No. 3:12-cv-00680

STIPULATION TO EXTEND CERTAIN  
PRETRIAL DATES AND ~~PROPOSED~~  
ORDER

21  
22  
23  
24  
25  
26  
27  
28

1 Pursuant to Civil Local Rule 7-12, Plaintiff MasterObjects, Inc. (“MasterObjects”) and  
2 Defendant eBay Inc. (“eBay”) stipulate through their respective counsel of record as follows:

3 WHEREAS, on May 2, 2013 a further Case Management Conference was held in this case  
4 following the issuance of the Court’s claim construction order, at which the Court set a case  
5 schedule that included discovery cut-off, expert disclosure and other pre-trial dates, and also set a  
6 date for trial;

7 WHEREAS, the parties agreed to brief extensions of the discovery cut-off and certain expert  
8 dates, by stipulation dated August 22, 2013, upon which the Court entered its order on August 23,  
9 2013;

10 WHEREAS, the parties agreed to a further brief extension of the dates for expert reports and  
11 certain pre-trial dates, by stipulation dated September 30, 2013, upon which the Court entered its  
12 order on October 1, 2013;

13 WHEREAS, MasterObjects has requested that certain expert deadlines be extended to  
14 accommodate the schedule of its counsel and experts, and eBay has agreed to accommodate  
15 MasterObjects’ request, the parties request a brief extension of the deadlines to serve rebuttal expert  
16 reports and the deadlines for expert discovery, with all other deadlines remaining unchanged;

17 WHEREAS, the parties submit that the proposed change to the schedule is reasonably  
18 necessary for the orderly preparation of expert reports and completion of expert discovery;

19 NOW THEREFORE, the parties through their undersigned counsel hereby stipulate and  
20 request that the Court order the extension of dates for rebuttal expert reports and the expert  
21 discovery deadlines as shown in the chart below:

22

	<u>Current Date</u>	<u>Proposed Date</u>
23 Last Day for Rebuttal Expert Reports (Non-Damages)	December 2, 2103	December 9, 2013
24 Last Day to Complete Expert Discovery (Non-Damages)	December 13, 2013	December 18, 2013
25 Last Day to File Dispositive Motions	December 23, 2013	December 23, 2013

26  
27

1	Last Day for Rebuttal Expert Report on Damages	December 2, 2013	January 9, 2014
2	Last Day to Complete Expert Discovery on Damages	December 13, 2013	January 24, 2014
3	Dispositive Motion Hearing	February 10, 2014	February 10, 2014
4	Last Day to File Daubert Motions	February 10, 2014	February 10, 2014
5	Pretrial Filings Due	March 10, 2014	March 10, 2014
6	Trial	April 21, 2014	April 21, 2014

7 IT IS SO STIPULATED.

8 Dated: November 19, 2013

Respectfully submitted:

9 HOSIE RICE LLP

10 By: /s/ Spencer Hosie  
 11 Spencer Hosie  
 12 Attorney for Plaintiff  
 MasterObjects, Inc.

13 BRACEWELL & GIULIANI LLP

14 By: /s/ John H. Barr, Jr.  
 15 John H. Barr, Jr.  
 16 Attorney for Defendant  
 eBay, Inc.

17  
 18 I hereby attest pursuant to General Order 45.X.B. that concurrence in the electronic filing of  
 19 this document has been obtained from the other signatories.

20 DATED: November 19, 2013

21  
 22 /s/ John H. Barr, Jr.  
 John H. Barr, Jr.

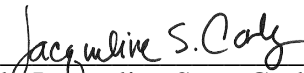
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

~~[PROPOSED]~~ ORDER

Pursuant to the stipulation of the parties, it is hereby ORDERED that the pre-trial dates are extended to the proposed dates set forth above in the parties' stipulation.

**PURSUANT TO STIPULATION IT IS SO ORDERED.**

Dated: November 20, 2013

  
\_\_\_\_\_  
Honorable Jacqueline Scott Corley  
United States Magistrate Judge