

1 John M. Farrell (Cal. Bar No. 99649)
farrell@fr.com

2 FISH & RICHARDSON P.C.
3 500 Arguello Street, Suite 500
4 Redwood City, CA 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

5 Jonathan E. Singer (Cal. Bar No. 187908)
singer@fr.com

6 FISH & RICHARDSON P.C.
7 12390 El Camino Real
8 San Diego, CA 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

9 Attorneys for Plaintiff
10 and Third-Party Defendants

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 MYCONE DENTAL SUPPLY CO., INC.,
15 D/B/A KEYSTONE RESEARCH &
16 PHARMACEUTICAL,
17 a New York Corporation,

18 Plaintiff,

19 v.

20 CREATIVE NAIL DESIGN, INC.,
21 a California Corporation,

22 Defendant.

23 YOUNG NAILS, INC., CACEE, INC. AND
24 NAIL SYSTEMS INTERNATIONAL,

25 Third-Party Defendants.

Case No. 3:12-cv-00747-RS

**JOINT STIPULATION TO EXTEND
NEAR-TERM DEADLINES AND
~~[PROPOSED]~~ ORDER**

26 Pursuant to Local Rules 6-1 and 6-2, Plaintiff Mycone Dental Supply Co., Inc., d/b/a
27 Keystone Research and Pharmaceutical, Third-Party Defendants Young Nails, Inc., Cacee, Inc.,
28 and Nail Systems International, and Defendant Creative Nail Design, Inc. submit this joint
stipulation to postpone all near-term deadlines for two weeks. The parties are jointly making this
request because they continue to engage in settlement discussions, and believe a modest delay in

1 near-term deadlines will facilitate these discussions. Accordingly, the parties stipulate and jointly
2 move to postpone the following deadlines:

- 3 • The deadline for Keystone to serve its rebuttal report on objective considerations
4 shall be extended from March 14, 2014 to March 28, 2014.
- 5 • Third-Party Defendants' deadline to comply with Judge Ryu's January 28, 2014
6 Order, (Doc. No. 188), and produce a list of all customers to whom they sold
7 accused products between 2011 and 2013 shall be extended from March 20, 2014
8 to April 3, 2014.
- 9 • The close of expert discovery shall be extended from April 2, 2014 to April 16,
10 2014.

11
12 This extension will not affect any other deadlines set by the Court. In addition, this
13 extension will not affect any pre-trial or trial dates as no dates have been set for trial.

14 In accordance with General Order No. 45, Section X(B), the filer of this document hereby
15 attests that the concurrence to the filing of this document has been obtained from the other
16 signatory hereto.

17
18
19 Dated: March 10, 2014

Respectfully submitted,

20 /s/ John R. Lane

21 John R. Lane (pro hac vice)

22 JLane@fr.com

23 FISH & RICHARDSON P.C.

24 1221 McKinney Street, Suite 2800

25 Houston, TX 77010

26 Telephone: (713) 654-5300

27 Facsimile: (713) 652-0109

1 John M. Farrell (Cal. Bar No. 99649)
2 farrell@fr.com

3 FISH & RICHARDSON, PC
4 500 Arguello Street, Suite 500
5 Redwood City, CA 94063
6 Telephone: (650) 839-5070
7 Facsimile : (650) 839-5071

8 Jonathan E. Singer (Cal. Bar No. 187908)
9 singer@fr.com

10 12390 El Camino Real
11 San Diego, CA 92130
12 Telephone: (858) 678-5070
13 Facsimile: (858) 678-5099

14 Joseph A. Herriges (pro hac vice)
15 herriges@fr.com

16 FISH & RICHARDSON P.C.
17 60 South 6th Street, Suite 3200
18 Minneapolis, MN 55402
19 Telephone: (612) 335-5070
20 Facsimile : (612) 288-9696

21 Ira A. Rosenau (pro hac vice)
22 irosenau@klehr.com

23 KLEHR HARRISON HARVEY
24 BRANZBURG, LLP
25 1835 Market Street
26 Philadelphia, PA 19103
27 Telephone: (215) 568-6060
28 Facsimile: (215) 568-6603

Attorneys for Plaintiff and Third-Party Defendants

/s/ Colette R. Verkuil

Colette R. Verkuil (CA SBN 263630)

CVerkuil@mofo.com

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, CA 94304-1018

Telephone: 650-813-5600

Facsimile: 650-494-0792

Adam R. Hess (pro hac vice)

arhess@venable.com

Christopher T. La Testa (pro hac vice)

ctlatesta@venable.com

VENABLE LLP

575 7th Street N.W.

Washington, D.C. 20004

Telephone: (202) 344-4547

Facsimile: (202) 344-8300

Craig Kaufman (Cal. Bar. No. 159458)

ckaufman@ftklaw.com

FREITAS TSENG & KAUFMAN LLP

100 Marine Parkway

Suite 200

Redwood Shores, CA 94065

Telephone: (650) 730-5557

Attorneys for Defendant

1 **~~PROPOSED~~ ORDER**

2
3 PURSUANT TO THE FOREGOING STIPULATION, IT IS ORDERED THAT:

- 4 • The deadline for Keystone to serve its rebuttal report on objective considerations
5 shall be extended from March 14, 2014 to March 28, 2014.
- 6 • Third-Party Defendants' deadline to comply with Judge Ryu's January 28, 2014
7 Order, (Doc. No. 188), and produce a list of all customers to whom they sold
8 accused products between 2011 and 2013 shall be extended from March 20, 2014
9 to April 3, 2014.
- 10 • The close of expert discovery shall be extended from April 2, 2014 to April 16,
11 2014.
12

13
14 **IT IS SO ORDERED.**

15 Dated: 3/10, 2014

16
17 
18 Hon. Richard Seeborg
United States District Judge