

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ASUS COMPUTER INTERNATIONAL,
Plaintiff,
v.
ROUND ROCK RESEARCH, LLC,
Defendant.

Case No. 12-cv-02099-JST

**ORDER RE: CONDUCT OF SUMMARY
JUDGMENT HEARING; SETTING
SECOND SUMMARY JUDGMENT
HEARING**

Because the parties' motions to strike portions of expert reports, currently pending before Judge Cousins, will affect the record before the Court relevant to the parties' motions for summary judgment, the Court ORDERS as follows:

1. At the April 10, 2014 summary judgment hearing, the parties shall focus their arguments on Parts IV.A.1, IV.B.1.(a)–(c), IV.B.2, IV.C, and IV.D of ASUS' motion for summary judgment, as well as the entirety of Round Rock's motion for summary judgment, only as the arguments relate to charted accused devices and infringement theories disclosed in Round Rock's operative infringement contentions.

2. At the April 10 hearing, the parties shall begin their presentations by explaining their view of how the motions to strike affect the relief requested by the parties' motions for summary judgment. In particular, the parties' presentations shall include, at a minimum, discussions of:

- a. whether and how the motions to strike affect the evidence concerning the charted accused devices and charted infringement theories;
- b. which uncharted accused devices are subject to the motions to strike;
- c. which infringement theories are subject to the motions to strike;

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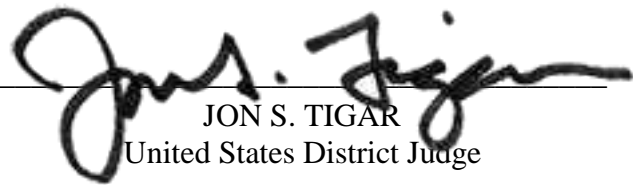
d. how the motions to strike should affect the Court’s analysis of ASUS’
motion for summary judgment on the issue of indirect infringement; and

e. how the motions to strike should affect the Court’s analysis of ASUS
Taiwan’s motion for summary judgment on all claims of infringement.

3. The Court will hold a second summary judgment hearing on May 13, 2014, at
2:00 p.m., for the purpose of discussing the remaining summary judgment issues and the effect of
the final ruling on the motions to strike on the summary judgment record.

IT IS SO ORDERED.

Dated: April 3, 2014


JON S. TIGAR
United States District Judge