

1 James Isbester (CA SBN 129820)  
Benjamin Kleinman-Green (CA SBN 261846)  
2 Sara B. Giardina (CA SBN 278954)  
KILPATRICK TOWNSEND & STOCKTON LLP  
3 Two Embarcadero Center, Eighth Floor  
San Francisco, CA 94111  
4 Tel.: (415) 576-0200  
Fax: (415) 576-0300  
5 Email: jisbester@kilpatricktownsend.com  
bkleinman-green@kilpatricktownsend.com  
6 sgiardina@kilpatricktownsend.com

7 Jordan Trent Jones (CA SBN 166600)  
KILPATRICK TOWNSEND & STOCKTON LLP  
8 1080 Marsh Road  
Menlo Park, CA 94025  
9 Tel.: (650) 326-2400  
Fax: (650) 326-2422  
10 Email: jtjones@kilpatricktownsend.com

11 Taylor Higgins Ludlam (*Pro Hac Vice*)  
KILPATRICK TOWNSEND & STOCKTON LLP  
12 4208 Six Forks Road, Suite 1400  
Raleigh, North Carolina 27609  
13 Tel: 919-420-1705  
Fax: 919-420-1800  
14 Email: taludlam@kilpatricktownsend.com

15 Attorneys for Defendant  
MOTOROLA MOBILITY LLC

Daniel Johnson, Jr. (SBN 57409)  
Rita E. Tautkus (SBN 162090)  
Ahren C. Hsu-Hoffman (SBN 250469)  
MORGAN, LEWIS & BOCKIUS LLP  
2 Palo Alto Square  
3000 El Camino Real, Suite 700  
Palo Alto, CA 94306-2122  
Tel: (650) 843-4000  
Fax: (650) 843-4001  
Email: djjohnson@morganlewis.com  
rtautkus@morganlewis.com  
ahsu-hoffman@morganlewis.com

Nathan W. McCutcheon (*pro hac vice*)  
Mark W. Taylor (*pro hac vice*)  
Bradford A. Cangro (*pro hac vice*)  
Jacob A. Snodgrass (*pro hac vice*)  
Dae Gunn Jei (*pro hac vice*)  
MORGAN, LEWIS & BOCKIUS LLP  
1111 Pennsylvania Avenue NW  
Washington, DC 20004  
Tel: (202) 739-3000  
Fax: (202) 739-3001  
Email: nmccutcheon@morganlewis.com  
mark.taylor@morganlewis.com  
bcangro@morganlewis.com  
jsnodgrass@morganlewis.com  
d jei@morganlewis.com

Attorneys for Plaintiff  
FUJIFILM CORPORATION

17  
18 **UNITED STATES DISTRICT COURT**  
19 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN FRANCISCO DIVISION**

22 FUJIFILM CORPORATION, A JAPANESE  
CORPORATION,

23 Plaintiff,

24 v.

25 MOTOROLA MOBILITY LLC, a  
Delaware Limited Liability Company,

26 Defendant.  
27

Civil Action No. C 12-03587 WHO

**STIPULATION AND ORDER  
REGARDING ONGOING REVIEW OF  
SOURCE CODE AND EXTENDING  
DEADLINE FOR THE PARTIES TO  
COMPLETE LIMITED FACT  
DISCOVERY**

1 Plaintiff Fujifilm Corporation and Defendant Motorola Mobility LLC (collectively, the  
2 “parties”), by and through their undersigned counsel, hereby stipulate as follows:

3 WHEREAS, in the Court’s Order Regarding Scheduling (Docket #82), the Court approved  
4 the parties’ agreed-on deadline of July 18, 2014 as the close of fact discovery;

5 WHEREAS, the parties have endeavored to complete all fact discovery by this deadline  
6 but believe that it is reasonably necessary for the source code produced in this action by Motorola,  
7 as well as by third-parties Qualcomm Incorporated, NVIDIA Corporation, Texas Instruments, and  
8 Hewlett-Packard Company, to be available for further review by the parties’ respective experts  
9 and that additional time should be afforded to accommodate the schedules of and minimize the  
10 burdens on third parties who have been subpoenaed for documents and/or testimony;

11 WHEREAS, since source code is expected to be addressed in upcoming expert reports and  
12 the subject of deposition and trial testimony, the parties agree it may be reasonably necessary for  
13 their respective experts to further consult the source code to prepare their reports and to testify  
14 and, as such, jointly request permission to access the source code produced by Motorola for  
15 review and printing through trial and, subject to working out the details with the third parties, to  
16 access the source code produced by those third parties for review and printing at least until  
17 January 16, 2015, but this source code accessibility shall not change or modify any deadlines  
18 established by the Court;

19 WHEREAS, to accommodate and coordinate with the schedules of third parties whose  
20 depositions have been noticed by one or both of the parties for documents and/or testimony, and to  
21 afford the parties additional time to attempt to reach agreements on the admissibility of third-party  
22 declaration testimony, which could potentially obviate the need for certain third parties to sit for  
23 depositions, the parties jointly request a short three-week extension of the July 18, 2014 deadline  
24 to meet and confer in this regard and complete the taking of discovery from these third parties,  
25 including Qualcomm Incorporated, NVIDIA Corporation, Texas Instruments, Omnivision  
26 Technologies Inc., Aptina Imaging Corp., Hewlett-Packard Company, Bluetooth SIG, Stewart  
27 Cheifet, Olaf Joeressen, Jani Kaikko, Nokia, Microsoft, Ericsson, Jim Kardach, Simon Ellis, and  
28 Intel;



1           WHEREAS, opening expert reports are due on October 3, 2014, there have been no prior  
2 requests for extensions to the July 18, 2014 fact discovery deadline, and a limited extension of this  
3 deadline for the limited purpose of conducting third-party discovery will not affect any other  
4 Court-set deadlines.

5           NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties hereto  
6 through their respective attorneys of record that (1) the parties are permitted to access the source  
7 code produced by Motorola for review and printing through trial and, subject to working out the  
8 details with the third parties, to access the source code produced by those third parties for review  
9 and printing at least until January 16, 2015; and (2) the July 18, 2014 deadline for the taking of  
10 fact discovery is extended by three weeks, until August 8, 2014, to complete the taking of  
11 discovery from third parties who have been subpoenaed for documents and/or testimony.

12 DATED: July 15, 2014

Respectfully submitted,

KILPATRICK TOWNSEND & STOCKTON LLP

15 By:           /s/Jordan Trent Jones          

A. James Isbester  
Benjamin Kleinman-Green  
Jordan Trent Jones

Attorneys for Defendant,  
Motorola Mobility LLC

19 DATED: July 15, 2014

Respectfully submitted,

MORGAN, LEWIS & BOKIUS LLP

23 By:           /s/Ahren C. Hsu-Hoffman          

Ahren C. Hsu-Hoffman

Attorneys for Plaintiff  
Fujifilm Corporation

26 ///

27 ///

28 ///



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

**ATTESTATION CLAUSE REGARDING SIGNATURES**

Pursuant to Local Rule 5-1(i)(3) regarding signatures, I attest under penalty of perjury that I have on file permission to sign for counsel, as indicated by a “confirmed” signature (/s/) within the e-filed document.

/s/Jordan Trent Jones  
Jordan Trent Jones

IT IS SO ORDERED.

Dated: July 15, 2014

W. H. Orrick, III  
WILLIAM H. ORRICK, III  
United States District Judge

