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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ASETEK HOLDINGS, INC. and ASETEK A/S,

Plaintiffs,

v.

COOLIT SYSTEMS INC.,

Defendant.

CASE NO. 3:12-CV-04498-EMC

**JOINT STIPULATION TO EXTEND
DISCOVERY DEADLINE; [~~PROPOSED~~]
ORDER**

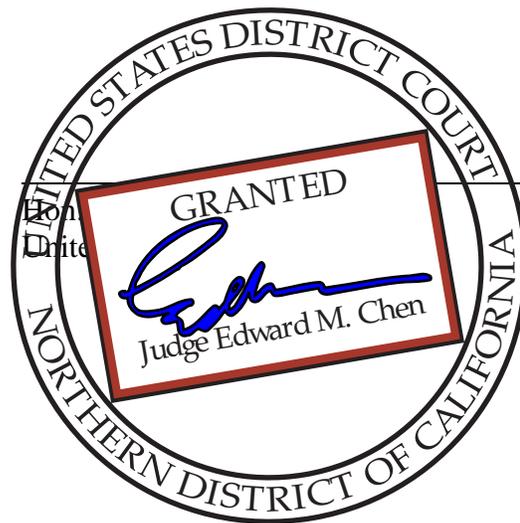
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~~[PROPOSED]~~ ORDER

Pursuant to the parties' stipulation, the Court partially extends the deadline for completion of non-expert discovery, limited to the deposition of Geoff Lyon, up to and including April 14, 2014.

IT IS SO ORDERED.

Dated: 4/9/14



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15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION

18 ASETEK HOLDINGS, INC. and ASETEK A/S,

19 Plaintiffs,

20 v.

21 COOLIT SYSTEMS INC.,

22 Defendant.

23 CASE NO. 3:12-CV-04498-EMC

24 **DECLARATION OF JEFFERY D. SMYTH
 25 IN SUPPORT OF JOINT STIPULATION
 26 TO EXTEND DISCOVERY DEADLINE**

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I, Jeffrey D. Smyth, declare as follows:

I am an attorney licensed to practice in California and before this Court, and am an associate with Finnegan, Henderson, Farabow, Garrett & Dunner LLP, counsel for Plaintiffs Asetek Holdings, Inc. and Asetek A/S (“Asetek”). I submit this Declaration in Support of the Joint Stipulation to Extend Discovery Deadline (“Stipulation”) filed concurrently herewith. The matters stated herein are based upon my personal knowledge, and if called as a witness, would testify as to the following statements.

Asetek and Defendant CoolIT Systems Inc. (“CoolIT”) jointly stipulate, with the Court’s permission, to amend the Case Management and Pretrial Order for Jury Trial of January 6, 2014 (Dkt. No. 163), as provided in the Stipulation. The parties have agreed that the deposition of Geoff Lyon, in his individual capacity and as CoolIT’s 30(b)(6) designee, will occur on April 11, 2014 and will continue through no later than Monday April 14, 2014, if necessary. These proposed modifications to the schedule do not result in any prejudice to the parties and do not affect any other dates set by the Court. The parties therefore respectfully request that the Court enter the parties’ Joint Stipulation to Extend Discovery Deadline.

The previous requested modifications of time in this case are as follows: a stipulation to extend time for CoolIT to respond to the complaint (Dkt. No. 10); a stipulated order to change times for responses to defendant’s motions to stay pending reexaminations and motion to dismiss (Dkt. No. 28); a stipulated order rescheduling case management conference (Dkt. No. 39); a stipulated order to amend case management order (Dkt. 75); a stipulation to change the time for Asetek to respond to CoolIT’s motion for partial summary judgment (Dkt No. 98); a stipulation to change time to file responsive and reply claim construction briefs (Dk. No. 131); a stipulated order extending time to file reply claim construction briefs (Dkt. No. 144); and a stipulated order modifying partial summary judgment supplemental discovery and briefing schedule (Dkt. No. 147).

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I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 8th day of April, 2014, in Palo Alto, California.

By: /s/ Jeffery D. Smyth
Jeffery D. Smyth