

1 COOLEY LLP
 HEIDI L. KEEFE (178960)
 2 (hkeefe@cooley.com)
 DANIEL J. KNAUSS (267414)
 3 (dknauss@cooley.com)
 Five Palo Alto Square
 4 3000 El Camino Real
 Palo Alto, CA 94306-2155
 5 Telephone: (650) 843-5000
 Facsimile: (650) 849-7400
 6

ROBERT F. McCAULEY (162056)
 (robert.mccauley@finnegan.com)
 TINA E. HULSE (232936)
 (tina.hulse@finnegan.com)
 FINNEGAN, HENDERSON, FARABOW,
 GARRETT & DUNNER LLP
 3300 Hillview Avenue
 Palo Alto, CA 94304
 Telephone: (650) 849-6600
 Facsimile: (650) 849-6666

DENNIS McCOOE
 7 (mccoee@blankrome.com)
 (admitted *Pro Hac Vice*)
 8 KATHERINE BARECCHIA
 (barecchia@blankrome.com)
 9 (admitted *Pro Hac Vice*)
 JOEL DION (dion-j@blankrome.com)
 10 (admitted *Pro Hac Vice*)
 BLANK ROME LLP
 11 One Logan Square
 130 North 18th Street
 12 Philadelphia, PA 19103
 Telephone: (215) 569-5580
 13 Facsimile: (215) 832-5580

Attorneys for Plaintiffs
 ASETEK HOLDINGS, INC. and
 ASETEK A/S

14 Attorneys for Defendant
 CoolIT Sysytems, Inc.

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION
 18

19 ASETEK HOLDINGS, INC. and ASETEK A/S,
 20 Plaintiffs,
 21 v.
 22 COOLIT SYSTEMS INC.,
 23 Defendant.

CASE NO. 3:12-CV-04498-EMC
**STIPULATED REQUEST FOR ORDER
 AMENDING CASE MANAGEMENT
 ORDER**
[PROPOSED] ORDER
 (as modified)

24
 25
 26
 27
 28

1 On January 17, 2013, the Court held an Initial Case Management Conference. At the
 2 Initial Case Management Conference, the Court adopted the parties' proposed Case Management
 3 Order through the completion of claim construction discovery and set a further case management
 4 conference for May 23, 2013 at 10:30 am. On February 26, 2013, CoolIT filed its amended
 5 answer to Asetek's amended complaint and amended counterclaims. CoolIT's amended
 6 counterclaims included a claim for infringement of CoolIT's U.S. Pat. No. 8,382,456, which
 7 issued on February 26, 2013. The parties are preparing to exchange the contentions required by
 8 the Patent Local Rules in connection with CoolIT's patent. The parties agree that, in view of
 9 CoolIT's new counterclaim, coordination of dates for claim construction proceedings for Asetek's
 10 patents-in-suit and CoolIT's patent-in-suit would be efficient.

11 Accordingly, the parties submit that good cause exists to amend the Case Management
 12 Order in view of the desirability of coordinating claim construction for all patents now involved
 13 in this case.

14 The parties propose the following amended schedule:

EVENT	PROPOSED SCHEDULE
Last Day for CoolIT to Serve Disclosure of Asserted Claims and Infringement Contentions (and accompanying document production)	March 19, 2013
Last Day for Asetek to Serve Preliminary Invalidity Contentions (and accompanying document production)	May 3, 2013
Last Day for Parties to Exchange List of "Proposed Terms and Claim Elements for Construction"	May 17, 2013
Case Management Conference	May 23, 2013 at 10:30 am
Meet and confer to identify 10 terms	May 24, 2013
Exchange of Preliminary Claim Constructions and Extrinsic Evidence	June 7, 2013

EVENT	PROPOSED SCHEDULE
Meet and confer re Joint Claim Construction and Prehearing Statement	June 14, 2013
Joint Claim Construction and Prehearing Statement	July 2, 2013
Complete claim construction discovery	July 16, 2013
Opening claim construction briefs	July 30, 2013
Responsive Briefs	August 13, 2013
Reply Briefs	August 20, 2013
Tutorial - Oct. 21, 2013 at 10:00 a.m. Claim Construction Hearing - Nov. 4 & 5 at 2:30 p.m.	September 3, 2013, or at the earliest next available date of the Court
Close of Fact Discovery Last Day to File Motions for Leave to Amend the Pleadings	December 17, 2013 or sixty days from issuance of the claim construction order, whichever is later
Initial Expert Reports (on issues upon which party bears burden of proof)	January 7, 2014 or 21 days after the close of fact discovery, whichever is later
Rebuttal Expert Reports	February 6, 2014 or 30 days after initial expert reports, whichever is later
Close of Expert Discovery	March 10, 2014 or 30 days after rebuttal expert reports, whichever is later
Last Day to File Dispositive Motions	March 24, 2014 or 14 days after close of expert discovery, whichever is later
Final Pretrial Conference	TBD
Trial	May 2014 (subject to the Court's availability)

1 By his signature below, counsel for Defendant attests that counsel for Plaintiffs concurs in
2 the filing of this stipulation.

3 Dated: March 8, 2013

Respectfully submitted,

4 BLANK ROME LLP

5 By: /s/Dennis P. McCooe

6 Dennis P. McCooe
7 Attorneys for Defendant
8 CoolIT Systems Inc.

9 Dated: March 8, 2013

Respectfully submitted,

10 FINNEGAN, HENDERSON, FARABOW,
11 GARRETT & DUNNER, LLP

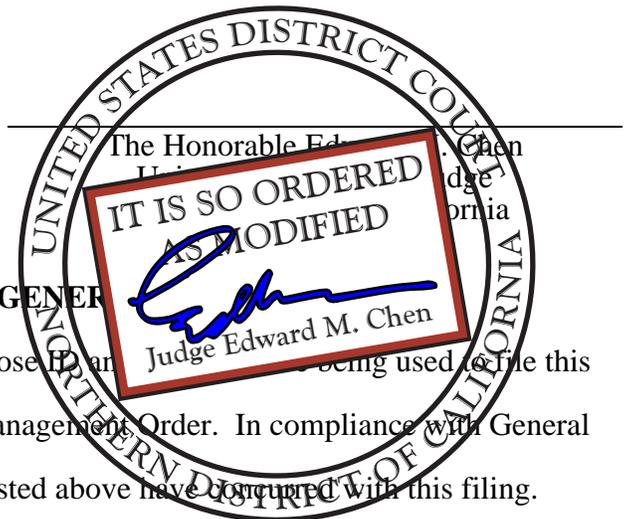
12 By: /s/Robert F. McCauley

13 Robert F. McCauley
14 Attorneys for Plaintiffs
15 Asetek A/S and Asetek Holdings, Inc.

16 **[PROPOSED] ORDER**

17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18 Dated: March 12, 2013



19 **ATTESTATION PER GENERAL COUNSEL**

20 I, Daniel J. Knauss, am the ECF User whose ID and password are being used to file this
21 Stipulated Request for Order Amending Case Management Order. In compliance with General
22 Order 45, X.B., I hereby attest that the counsel listed above have concurred with this filing.
23

24 Dated: March 8, 2013

/s/ Daniel J. Knauss

25 DANIEL J. KNAUSS
26 Attorneys for Defendant
27 CoolIT Systems, Inc.

28 1105849 v1/HN