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

21 EMBLAZE, LTD.,  
 22 Plaintiff,  
 23 v.  
 24 MICROSOFT CORPORATION,  
 25 Defendant.

Case No. 3:12-cv-5422-JST  
**JOINT STIPULATION REQUESTING  
 MODIFICATION TO SCHEDULING  
 ORDER; [~~PROPOSED~~ ORDER]**

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2 Pursuant to Civil Local Rule 6-2, the parties to this action respectfully submit the  
3 following Joint Stipulation Requesting Modification to the Court's Scheduling Order (D.E. #105),  
4 dated October 10, 2014.

5 1. The fact discovery cut-off, which is currently August 7, 2015, shall be extended  
6 until September 8, 2015; the expert disclosures deadline, which is presently August 7, 2015, shall  
7 be extended until September 8, 2015; the expert rebuttal deadline, which is presently August 28,  
8 2015, shall be extended until September 29, 2015; the expert discovery deadline, which is  
9 presently October 9, 2015, shall be extended to November 9, 2015, and the deadline for  
10 dispositive motions, which is presently October 30, 2015, shall be extended to November 30,  
11 2015.

12 2. The reason for the requested extension is that the parties have simultaneously  
13 requested an extension of the briefing schedule and hearing date for Emblaze's Motion to Compel  
14 Discovery (D.E. #114), the latter by three weeks to the Court's next available date after the date  
15 currently scheduled (from April 7 to April 28). The parties have been and are continuing to meet  
16 and confer to resolve the issues raised in Emblaze's motion, have resolved some of those issues,  
17 and believe that the additional time will greatly increase the likelihood that they will reach  
18 agreement on the remaining issues and avoid the need for the Court's intervention or any further  
19 briefing. The parties are requesting an extension of the close of fact discovery and the window  
20 for expert discovery by 30 days to allow additional time for document review and deposition  
21 preparation in case the resolution of discovery issues pushes out the time within which Emblaze  
22 receives requested documents. This would still leave five months between the close of expert  
23 discovery (now proposed for November 9, 2015) and the commencement of trial on April 4,  
24 2016, and four months between the filing of dispositive motions (now proposed for November 30,  
25 2015) and the commencement of trial.

26 3. The previous time modifications in this case are as follows: A Case Management  
27 Conference had originally been scheduled for February 11, 2013 (D.E. #21), before being vacated  
28 and reset to February 25, 2013, and subsequently being vacated pursuant to a Reassignment Order  
(D.E. #30). Subsequent to the Clerk's Notice Setting Case Management Conference (D.E. #37),

1  
2 the parties filed a Joint Stipulation Requesting an Extension for the Case Management  
3 Conference (D.E. #38), and an extension of 14 days was granted (D.E. #39). A Joint Statement  
4 Proposing Schedules for Summary Judgment and Claim Construction Briefing had originally  
5 been scheduled for August 27, 2013. (D.E. #47). The parties filed a Joint Stipulation Requesting  
6 an Extension for Filing Statement Proposing Schedules for Summary Judgment and Claim  
7 Construction Briefing (D.E. #48), and an extension of 2 days was granted (D.E. #49). A  
8 technology tutorial had originally been scheduled for October 29, 2013 and a claims construction  
9 hearing had originally been scheduled for November 12, 2013. (D.E. #42). Pursuant to Court  
10 Order (D.E. #57), the tutorial was continued to December 16, 2013 and the claims construction  
11 hearing was continued to December 18, 2013. Pursuant to Court Order (D.E. #60), the tutorial  
12 was subsequently continued to February 4, 2014 and the claims construction hearing was  
13 continued to February 6, 2014. Pursuant to Clerk's Notice (D.E. #61), the tutorial was continued  
14 to March 3, 2014 and the claims construction hearing continued to March 5, 2014. Pursuant to  
15 Clerk's Notice (D.E. #62), the tutorial was continued to June 9, 2014 and the claims construction  
16 hearing was continued to June 11, 2014. The parties filed a joint Stipulated Request for Order  
17 Enlarging Time in Connection With Microsoft's Motion to Disqualify Cohen & Gresser LLP As  
18 Counsel for Emblaze Ltd. (D.E. #68) and an extension of 13 days was granted for Emblaze to file  
19 its Response brief and 6 days for Microsoft to file its Reply brief (D.E. #69). The parties filed a  
20 joint Stipulated Request for Order Enlarging Time to File Declaration in Support of Emblaze's  
21 Administrative Motion to File Documents Under Seal (D.E. #130) and an extension of two days  
22 was granted for Microsoft to file a declaration addressing the sealability of the confidential  
23 documents Emblaze had submitted with its Motion to Compel (D.E. #114).

Event	Previous Deadline	New Deadline
Fact discovery cut-off	8/7/15	9/8/15
Expert disclosures	8/7/15	9/8/15
Expert rebuttal	8/28/15	9/29/15
Expert discovery cut-off	10/9/15	11/9/15
Deadline to file dispositive motions	10/30/15	11/30/15
Pretrial conference statement due	3/8/16	UNCHANGED
Pretrial conference	3/18/16 at 2:00 p.m.	UNCHANGED

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Event	Previous Deadline	New Deadline
Trial	4/4/16 at 8:30 a.m.	UNCHANGED
Estimate of trial length (in days)	Twelve	UNCHANGED

Dated: March 10, 2015

**PERKINS COIE LLP**

By: \_\_\_\_\_  
Eric L. Wesenberg  
EWesenberg@perkinscoie.com

Attorneys for Defendant  
Microsoft Corporation

Dated: March 10, 2015

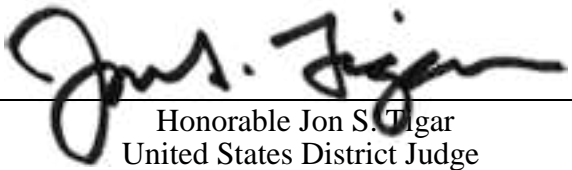
**COHEN & GRESSER LLP**

By: \_\_\_\_\_  
Francisco Villegas

Attorneys for Plaintiff  
Emblaze Ltd.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 12, 2015

  
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Honorable Jon S. Tigar  
United States District Judge

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**ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I hereby declare under penalty of perjury under the laws of the United States of America that concurrence in this filing has been obtained from signatory Francisco Villegas.

Executed this 10th day of March, 2015 at Palo Alto, California.

\_\_\_\_\_  
/s/ Eric L. Wesenberg  
Eric L. Wesenberg