

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EMBLAZE LTD.,
Plaintiff,

v.

MICROSOFT CORPORATION,
Defendant.

Case No. 12-cv-05422-JST

**ORDER REGARDING SCHEDULES
FOR SUMMARY JUDGMENT AND
CLAIM CONSTRUCTION BRIEFING
AND HEARING**

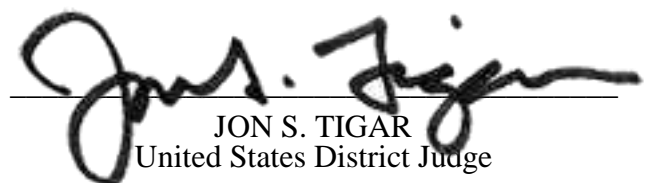
Re: ECF No. 50

The Court is in receipt of the parties' Joint Statement Concerning Schedules for Summary Judgment and Claim Construction Briefing and Hearing. ECF No. 50. The Court will not combine the claim construction hearing with summary judgment in this case. In their claim construction papers, each party is requested to include a short statement that identifies the expected impact its proposed constructions would have on the merits of the case. This should suffice to help the Court "understand the significance of the claim construction dispute" and ensure that the Court's "constructions squarely address the issue in dispute." *Id.*, at 6:9, 7:3.

Any party may file a motion for summary judgment at any time. The parties should be aware, however, that the Court is unlikely to hear such a motion before it has issued its claim construction order. If, after any such motion is filed, Plaintiff feels that there is a good cause for a continuance or for an extension of its deadline to file an opposition, it can file a motion requesting relief at that time.

IT IS SO ORDERED.

Dated: September 4, 2013


JON S. TIGAR
United States District Judge