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PRAGMATUS TELECOM, LLC
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18 PRAGMATUS TELECOM, LLC,
19 v.
20 Plaintiff,
21 BUILD.COM,
22 v.
23
24 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Pragmatus Telecom, LLC
25 (“Pragmatus”) and Defendant Build.com (“Build”), hereby stipulate through their respective
26 counsel of record as follows:
27 WHEREAS on March 29, 2013, the parties submitted a Joint Case Management
28 Statement (Dkt. No. 32);
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BUILD.COM, INC.

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CASE NO. 3:12-CV-06196-MMC
ORDER APPROVING
JOINT STIPULATION TO MODIFY
SCEDULING ORDER

Hon. Maxine M. Chesney

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24 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Pragmatus Telecom, LLC
25 (“Pragmatus”) and Defendant Build.com (“Build”), hereby stipulate through their respective
26 counsel of record as follows:

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24 WHEREAS on March 29, 2013, the parties submitted a Joint Case Management
25 Statement (Dkt. No. 32);

1 WHEREAS, on April 8, 2013 and April 9, 2013, the Court issued an Amended Civil
2 Minutes (Dkt. No. 35) and a Pretrial Preparation Order (Dkt. No. 36), respectively, setting forth
3 the schedule for this case;

4 WHEREAS, on May 17, 2013 the Court granted the parties' prior joint stipulation to
5 modify deadlines;

6 WHEREAS, the parties are currently engaged in discussions in an effort to resolve this
7 matter and believe that an extension of certain deadlines set forth in the Court's Pretrial
8 Preparation Order may aid the parties in their efforts to resolve this litigation;

9 WHEREAS, the parties are also considering a stipulation to transfer this case to the
10 District of Delaware, where other related cases involving the Patents-In-Suit are pending, should
11 the parties not reach resolution of this lawsuit; and

12 WHEREAS this extension will not affect the Markman hearing date, the discovery cutoff
13 dates, or the trial date;

14 NOW THEREFORE the parties through their undersigned counsel hereby stipulate to, and
15 request the Court to order, that certain deadlines, set forth in the parties Joint Case Management
16 Statement (Dkt. No. 32), the Court's Pretrial Preparation Order (Dkt. No. 36) and the Order
17 Approving Joint Stipulation to Modify Schedule (Dkt. No. 38), are modified as follows:

| Event | Current Deadline | Modified Deadline |
|--|------------------|-------------------|
| Exchange of Initial Disclosures | May 31, 2013 | June 14, 2013 |
| File ESI Agreement and Proposed Protective Order | May 31, 2013 | June 14, 2013 |
| Pragmatus serves infringement contentions and makes document production accompanying disclosures (Patent L.R. 3-1 and 3-2) | May 31, 2013 | June 14, 2013 |

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26 **IT IS SO STIPULATED.**
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1 Dated: May 30, 2013
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3 FEINBERG DAY ALBERTI & THOMPSON LLP DENTONS US LLP
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5 By: /s/ Marc Belloli

6 M. Elizabeth Day
7 Ian N. Feinberg
8 David Alberti
9 Sal Lim
10 Yakov Zolotorev
Marc Belloli

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12 Attorneys for Plaintiff
13 PRAGMATUS TELECOM, LLC
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By: /s/ Rachel Repka

Arthur Beeman
Rachel Repka
Carlos Perez-Albuerne
G. Mark Edgerton
Anita M.C. Spieth

Attorneys for Defendant
BUILD.COM

CERTIFICATION PURSUANT TO GENERAL RULE NO. 45, SECTION X, RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES

In accord with the Northern District of California's General Order No. 45, Section X.(B), I attest that concurrence in the filing of this document has been obtained from each of other signatories who are listed on the signature pages.

Pursuant to General Rule No. 45, I shall maintain records to support this concurrence for subsequent production for the Court if so ordered, or for inspection upon request by a party until one year after final resolution of the action (including appeal, if any).

Executed this 30th day of May, 2013 at Palo Alto, California.

DENTONS US LLP

By: /s/ Rachel Repka
Rachel Repka

*Attorneys for Defendant
Build.com*

ORDER

Pursuant to the stipulation of the parties, it is hereby ORDERED that the certain deadlines set forth in the Court's Pretrial Preparation Order are modified as follows:

| Event | Current Deadline | Modified Deadline |
|--|-------------------------|--------------------------|
| Exchange of Initial Disclosures | May 31, 2013 | June 14, 2013 |
| File ESI Agreement and Proposed Protective Order | May 31, 2013 | June 14, 2013 |
| Pragmatus serves infringement contentions and makes document production accompanying disclosures (Patent L.R. 3-1 and 3-2) | May 31, 2013 | June 14, 2013 |

IT IS SO ORDERED.

May 31 , 2013

Maxine M. Chesney
Honorable Maxine M. Chesney
United States District Court Judge

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