

Glaser Weil Fink Jacobs  
Howard Avchen & Shapiro LLP

1 ADRIAN M. PRUETZ - State Bar No. 118215  
2 apruetz@glaserweil.com  
3 CHARLES C. KOOLE - State Bar No. 259997  
4 ckoole@glaserweil.com  
5 GLASER WEIL FINK JACOBS  
6 HOWARD AVCHEN & SHAPIRO LLP  
7 10250 Constellation Boulevard, 19th Floor  
8 Los Angeles, California 90067  
9 Telephone: (310) 553-3000  
10 Facsimile: (310) 556-2920

11 STEVEN R. HANSEN - State Bar No. 198401  
12 steven.hansen@ltlw.com  
13 LEE TRAN & LIANG APLC  
14 601 S. Figueroa Street, Suite 4025  
15 Los Angeles, CA 90017  
16 Telephone: (213) 612-3737  
17 Facsimile: (213) 612-3773

18 *Attorneys for Defendant*  
19 *VIZIO, Inc.*

20 [counsel for other parties listed on next page]



21 UNITED STATES DISTRICT COURT  
22 NORTHERN DISTRICT OF CALIFORNIA  
23 SAN FRANCISCO DIVISION

24 BLUESTONE INNOVATIONS, LLC,

25 Plaintiff,

26 v.

27 LG ELECTRONICS, INC., et al.,

28 Defendants.

CASE NO.: 3:13-cv-01770-SI

Hon. Susan Illston

**STIPULATED REQUEST FOR  
ORDER CHANGING TIME**

1 Peter H. Kang  
Ashish Nagdev  
2 SIDLEY AUSTIN LLP  
3 1001 Page Mill Road, Bldg. 1  
Palo Alto, CA 94304  
4 Telephone: (650) 565-7000  
5 Facsimile: (650) 565-7100

6 Philip Woo  
7 SIDLEY AUSTIN LLP  
555 California St., Suite 2000  
8 San Francisco, CA 94104  
9 Telephone: (415) 772-1200  
10 Facsimile: (415) 772-7400

11 *Attorneys for Defendants*  
*LG Electronics, Inc. and*  
12 *LG Electronics U.S.A., Inc.*

13  
14 KAIWEN TSENG (SBN 193756)  
ktseng@ftklaw.com  
15 JERRY CHEN (SBN 229318)  
16 jchen@ftklaw.com  
17 FREITAS TSENG & KAUFMAN LLP  
100 Marine Parkway, Suite 200  
18 Redwood Shores, California 94065  
19 Telephone: (650) 593-6300  
20 Facsimile: (650) 593-6301

21 *Attorneys for Defendants, ACER INC., and*  
*ACER AMERICA CORPORATION*

22  
23 Christopher K. Larus (*admitted pro hac vice*)  
CKLarus@rkmc.com  
24 Bryan J. Mechell (*admitted pro hac vice*)  
25 BJMechell@rkmc.com  
26 ROBINS, KAPLAN, MILLER & CIRESI L.L.P.  
800 LaSalle Avenue  
27 2800 LaSalle Plaza  
28 Minneapolis, MN 55402-2015

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Telephone: 612-349-8500  
Facsimile: 612-339-4181

Wesley W. Lew, SBN: 222351  
WWLew@rkmc.com  
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.  
2049 Century Park East  
Suite 3400  
Los Angeles, CA 90067-3208  
Telephone: 310-552-0130  
Facsimile: 310-229-5800

*Attorneys for Defendants*  
*Best Buy Co., Inc., Best Buy Stores, L.P., and BestBuy.com, LLC*

DEAN D. NIRO (*admitted pro hac vice*)  
[dniro@nshn.com](mailto:dniro@nshn.com)  
DAVID J. MAHALEK (*admitted pro hac vice*)  
[mahalek@nshn.com](mailto:mahalek@nshn.com)  
ROBERT A. CONLEY (*admitted pro hac vice*)  
[rconley@nshn.com](mailto:rconley@nshn.com)

NIRO, HALLER & NIRO  
181 West Madison, Suite 4600  
Chicago, IL 60602-4515  
Telephone: 312-236-0733  
Facsimile: 312-236-3137

*Attorneys for Plaintiff*  
*BLUESTONE INNOVATIONS LLC*

1 Pursuant to Northern District of California Local Rule 6-2, plaintiff Bluestone  
2 Innovations, LLC (“Bluestone”) and defendants Acer, Inc., Acer America  
3 Corporation, Best Buy Co., Inc., Best Buy Stores, L.P., Bestbuy.com, LLC, LG  
4 Electronics, Inc., LG Electronics U.S.A., Inc., and VIZIO, Inc. (collectively,  
5 “defendants”) hereby request that the Court enter an order confirming certain  
6 deadlines and setting new dates for case management conferences, tutorial, and  
7 Markman hearing based on its August 30, 2013 Order re Discovery Dispute in  
8 *Bluestone v. Nichia Corp., et al.*, Case No. C 12-00059-SI (Dkt. No. 337).

9 **I. Factual Background**

10 On August 30, 2013, the Court issued its Order re: Discovery Dispute, which  
11 extended the deadline for defendant Nichia to serve its invalidity contentions 45 days  
12 after Bluestone served its supplemental infringement contentions. *See* Case No. C 12-  
13 00059-SI (Dkt. No. 337). Bluestone subsequently electronically served its  
14 supplemental infringement contentions on Nichia on August 30, 2013, moving the  
15 date for the service of invalidity contentions from September 9, 2013 to October 17,  
16 2013.<sup>1</sup>

17 As a result of moving the date for the service of invalidity contentions, the  
18 remaining dates and deadlines in the current schedule of both cases, including two  
19 case management conferences, the technology tutorial, and Markman hearing can no  
20 longer be applicable, as there are numerous resulting discrepancies, including the  
21 Tutorial and Markman scheduled before this Court occurring prior to the deadline for  
22 Bluestone to file its Reply Claim Construction Brief. Accordingly, the parties request  
23 that the Court enter the revised schedule as detailed below, or a substantially similar  
24 schedule more convenient to the Court, which avoids these discrepancies.

25  
26  
27 \_\_\_\_\_  
28 <sup>1</sup> The parties agreed that the extension of the deadline to serve invalidity contentions was extended for all defendants.

**II. Requested Dates**

The parties request that the Court enter the following new deadlines and hearing dates or substantially similar deadlines and hearing dates convenient to the Court, which reflect the same timing of the schedule entered by the Court on July 2, 2013 (Dkt. No. 123).

<b>Event<sup>2</sup></b>	<b>Previous Date Set in July 2, 2013 Civil Pretrial Minutes (Dkt. No. 123)</b>	<b>Proposed New Date Based on Patent Local Rules and Existing Case Schedule</b>
Nichia [and other defendants] to serve “Invalidity Contentions.” (P.L.R. 3-3);  Nichia [and other defendants] to produce documents to accompany “Invalidity Contentions.” (P.L.R. 3-4) (45 days from service of infringement contentions)	September 9, 2013	October 17, 2013
All parties to exchange proposed terms for construction. (P.L.R. 4-1) (14 days from service of invalidity contentions)	September 23, 2013	October 31, 2013
All parties to exchange preliminary claim constructions and extrinsic evidence. (P.L.R. 4-2) (35 days from service of	October 14, 2013	November 21, 2013

<sup>2</sup> Case management conferences and hearings before this Court are listed in bold.

1	invalidity contentions)		
2	All parties to file Joint Claim	November 8, 2013	December 16, 2013
3	Construction and Prehearing		
4	Statement. (P.L.R 4-3) (60 days		
5	from service of invalidity		
6	contentions)		17
7	<b>Further Case Management</b>	<b>November 22, 2013</b>	<b>January <del>10</del>, 2014 at</b>
8	<b>Conference</b>	<b>at 2:30 p.m.</b>	<b>2:30 p.m., or at a more</b>
9			<b>convenient time for</b>
10			<b>the Court</b>
11	Complete claim construction	December 9, 2013	January 15, 2014
12	discovery. (P.L.R. 4-4) (90 days		
13	from service of invalidity		
14	contentions)		
15	Deadline to amend pleadings or	December 18, 2013	January 24, 2014
16	add parties. (145 days from		
17	service of infringement		
18	contentions)		
19			
20	Bluestone to file opening claim	January 7, 2014	February 14, 2014
21	construction brief. (P.L.R. 4-5(a))		
22	(60 days from service of the joint		
23	claim construction and prehearing		
24	statement)		
25			
26	Defendants to file responsive	February 21, 2014	March 31, 2014
27	claim construction brief. (P.L.R.		
28	4-5(b)) (45 days from service of		

1	the opening claim construction		
2	brief)		
3	Bluestone to file reply claim	March 7, 2014	April 14, 2014
4	construction brief. (P.L.R. 4-5(c))		
5	(14 days from service of the		
6	responsive claim construction		
7	brief)		
8	<b>Tutorial</b>	<b>April 2, 2014 at 3:30</b>	<b>May 7, 2014 at 3:30</b>
9		<b>p.m.</b>	<b>p.m. , or at a more</b>
10			<b>convenient time for</b>
11			<b>the Court</b>
12	<b>Markman</b>	<b>April 9, 2014 at 3:30</b>	<b>May 14, 2014 at 3:30</b>
13		<b>p.m.</b>	<b>p.m. , or at a more</b>
14			<b>convenient time for</b>
15			<b>the Court</b>
16	<b>Further Case Management</b>	<b>April 25, 2014 at</b>	<b>May 30, 2014 at 3:00<sup>30</sup></b>
17	<b>Conference</b>	<b>3:00 p.m.</b>	<b>p.m. , or at a more</b>
18			<b>convenient time for</b>
19			<b>the Court</b>
20			
21			
22			
23			
24			
25			
26			
27			
28			

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: October 1, 2013

Respectfully submitted,

By: /s/ Charles C. Koole

Adrian M. Pruetz  
Charles C. Koole  
GLASER WEIL FINK JACOBS  
HOWARD AVCHEN & SHAPIRO LLP

Steven R. Hansen  
LEE TRAN & LIANG APLC

*Attorneys for Defendant  
VIZIO, Inc.*

By: /s/ Ashish Nagdev

Peter H. Kang  
Ashish Nagdev  
SIDLEY AUSTIN LLP  
1001 Page Mill Road, Bldg. 1  
Palo Alto, CA 94304  
Telephone: (650) 565-7000  
Facsimile: (650) 565-7100

Philip Woo  
SIDLEY AUSTIN LLP  
555 California St., Suite 2000  
San Francisco, CA 94104  
Telephone: (415) 772-1200  
Facsimile: (415) 772-7400

*Attorneys for Defendants  
LG Electronics, Inc. and  
LG Electronics U.S.A., Inc.*

By: /s/ Jerry Chen

Kaiwen Tseng  
Jerry Chen  
FREITAS TSENG & KAUFMAN LLP



*Attorneys for Defendants,  
ACER INC., and  
ACER AMERICA CORPORATION*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Glaser Weil Fink Jacobs  
Howard Avchen & Shapiro LLP

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: /s/ Bryan J. Mechell  
Christopher K. Larus (*admitted pro hac vice*)  
CKLarus@rkmc.com  
Bryan J. Mechell (*admitted pro hac vice*)  
BJMechell@rkmc.com  
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.  
800 LaSalle Avenue  
2800 LaSalle Plaza  
Minneapolis, MN 55402-2015  
Telephone: 612-349-8500  
Facsimile: 612-339-4181

Wesley W. Lew, SBN: 222351  
WWLew@rkmc.com  
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.  
2049 Century Park East  
Suite 3400  
Los Angeles, CA 90067-3208  
Telephone: 310-552-0130  
Facsimile: 310-229-5800

*Attorneys for Defendants*  
*Best Buy Co., Inc., Best Buy Stores, L.P., and*  
*BestBuy.com, LLC*

By: /s/ Robert A. Conley  
Dean D. Niro (*admitted pro hac vice*)  
[dniro@nshn.com](mailto:dniro@nshn.com)  
David J. Mahalek (*admitted pro hac vice*)  
[mahalek@nshn.com](mailto:mahalek@nshn.com)  
Robert A. Conley (*admitted pro hac vice*)  
[rconley@nshn.com](mailto:rconley@nshn.com)  
NIRO, HALLER & NIRO  
181 West Madison, Suite 4600  
Chicago, IL 60602-4515  
Telephone: 312-236-0733  
Facsimile: 312-236-3137

*Attorneys for Plaintiff*  
*Bluestone Innovations LLC*