

1 Christopher D. Banys (State Bar No. 230038)
 Richard C. Lin (State Bar No. 209233)
 2 Daniel M. Shafer (State Bar No. 244839)
 cdb@banyspc.com
 3 rcl@banyspc.com
 dms@banyspc.com
 4 BANYS, P.C.
 2200 Geng Road, Suite 200
 5 Palo Alto, California 94303
 Telephone: (650) 308-8505
 6 Facsimile: (650) 322-9103

7 Attorneys for Plaintiff, Adaptix, Inc.

8 [ATTORNEYS FOR ADDITIONAL PARTIES
9 LISTED ON SIGNATURE PAGES]

10 UNITED STATES DISTRICT COURT
 11
 12 NORTHERN DISTRICT OF CALIFORNIA
 13
 14 SAN FRANCISCO DIVISION

14 ADAPTIX, INC.

15 Plaintiff,

16 v.

17 APPLE INC., CELLCO PARTNERSHIP
18 d/b/a/ VERIZON WIRELESS

19 Defendants.

Case No. 3:13-cv-01776-NC

**STIPULATED REQUEST TO
 CONTINUE CASE MANAGEMENT
 CONFERENCE AND MODIFIED ORDER**

20 Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure and Civil L.R. 6-2, the
 21 parties hereto stipulate to this joint request for a continuance of the Initial Case Management
 22 Conference currently set for May 29, 2013. The parties request that the CMC be continued to
 23 Wednesday, July 17, 2013.

24 In support of this stipulated request, the parties state as follows:

- 25 1. This case is one of six cases, all recently transferred to this District, for which an unopposed
 26 Administrative Motion to Consider Cases Related is currently pending before Judge
 27

1 Hamilton. (See Dkt. No. 31 in Case No. 3:13-cv-01774-PJH.) The cases in question
2 (including this case) are:

- 3 a. Adaptix v. Motorola Mobility LLC, et al., Case No. 3:13-cv-1774-PJH (N.D. Cal.)
- 4 b. Adaptix v. Apple Inc., et al., Case No. 3:13-cv-1776-NC (N.D. Cal.)
- 5 c. Adaptix v. Apple Inc., et al., Case No. 3:13-cv-1777-MMC (N.D. Cal.)
- 6 d. Adaptix v. AT&T Mobility LLC, et al., Case No. 3:13-cv-1778-NC (N.D. Cal.)
- 7 e. Adaptix v. HTC Corp., et al., Case No. 5:13-cv-1844-PSG (N.D. Cal.)
- 8 f. Adaptix v. Apple Inc., et al., Case No. 4:13-cv-2023-EMC (N.D. Cal.)

- 9 2. The Administrative Motion To Consider Cases Related is unopposed. In the event that the
10 Administrative Motion is granted, the parties' understanding is that this case may be assigned
11 to another judge who would set his or her own CMC date. (See Declaration of Daniel M.
12 Shafer ["Shafer Decl."], filed herewith.)
- 13 3. In addition, two parties to this case have filed a Declination to Proceed Before a Magistrate
14 Judge and Request For Reassignment to a United States District Judge. (Dkt. Nos. 73, 74.)
15 The parties' understanding is that this will also result in reassignment of this case, and
16 vacation of the currently-scheduled CMC. (Shafer Decl.)
- 17 4. There have been no previous time modifications requested by the parties in this case. The
18 CMC date in question was modified once by the Court acting sua sponte. (Dkt. No. 61.)
19 There are currently no scheduled dates subsequent to the CMC in question, so the requested
20 modification will have no further effect on the case schedule. (Shafer Decl.)

21 WHEREFORE, the parties respectfully request, in the interest of efficiency, that the upcoming
22 CMC currently set for May 29, 2013, be continued until **Wednesday, July ²⁴17, 2013** (and that the related
23 deadlines originally set forth in the Order Setting Initial Case Management Conference and ADR
24 Deadlines (Dkt. No. 58) also be continued accordingly), pending the Court's decision on the
25 Administrative Motion to Consider Cases Related, and/or pending the Court's action on the Declinations
26 to Proceed Before a Magistrate.

1 Dated: May 17, 2013

Respectfully submitted,

2
3 By: /s/ Daniel M. Shafer
Christopher D. Banys
4 Richard C. Lin
Daniel M. Shafer
5 cdb@banyspc.com
rcl@banyspc.com
6 dms@banyspc.com
BANYS, P.C.
7 2200 Geng Road, Suite 200
8 Palo Alto, California 94303
Telephone: (650) 308-8505
9 Facsimile: (650) 322-9103

10 **Attorneys for Plaintiff,**
11 **ADAPTIX, INC.**

12 By: /s/ Geoffrey Mark Godfrey
13 Mark Donnell Flanagan
Robert Michael Galvin
14 Geoffrey Mark Godfrey
Mark.Flanagan@wilmerhale.com
15 Robert.Galvin@wilmerhale.com
Geoff.Godfrey@wilmerhale.com
16 WILMER CUTLER PICKERING
HALE AND DORR LLP
17 950 Page Mill Road
18 Palo Alto, CA 94303
Tel: (650) 858-6000
19 Fax: (650) 858-6100

20 **Attorneys for Defendant and**
21 **Counterclaim-Plaintiff Cellco Partnership**
22 **d/b/a Verizon Wireless**

23 By: /s/ Jonathan Hardt
24 Mark D. Selwyn (SBN 244180)
(mark.selwyn@wilmerhale.com)
25 WILMER CUTLER PICKERING
HALE AND DORR LLP
26 950 Page Mill Road
27 Palo Alto, California 94304
Telephone: (650) 858-6000

Facsimile: (650) 858-6100

Jonathan Hardt (pro hac vice)
jonathan.hardt@wilmerhale.com
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Ave. NW
Washington, DC 20006
Telephone: (202) 663-6000
Facsimile: (202) 663-6363

**Attorneys for Defendant and
Counterclaim-Plaintiff Apple Inc.**

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Case Management Conference is continued to July 24, 2013 at 10:00 a.m. and the case management deadlines are continued accordingly.

May 20, 2013

Magistrate Judge Nathanael Cousins



