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 22 WHATSAPP INC.

23 **UNITED STATES DISTRICT COURT**
 24 **NORTHERN DISTRICT OF CALIFORNIA**
 25 **SAN FRANCISCO DIVISION**

26 WHATSAPP INC.,
 27
 28 Plaintiff and
 Counter-Defendant
 v.
 INTERCARRIER COMMUNICATIONS
 LLC,
 Defendant and
 Counter-Plaintiff

CASE NO. 3:13-CV-4272-JST

**STIPULATION TO EXTEND DEADLINE
 FOR FURTHER JOINT CASE
 MANAGEMENT STATEMENT**

1 WHEREAS the Court issued an order construing claims of U.S. Patent Nos. 6,985,748
2 and 8,483,729 on October 16, 2014.

3 WHEREAS the parties are in the process of meeting and conferring to determine the
4 effect of the Court's October 16 order.

5 WHEREAS ICC has notified WhatsApp that it has preliminarily determined that it will
6 no longer assert claims 1, 3-5, 9, 12 and 17 of the '748 patent and claim 2 of the '729 patent,
7 while reserving the right to appeal the Court's Claim Construction Order as to those claims at the
8 appropriate time.

9 WHEREAS ICC and WhatsApp are discussing various proposals relating to further case
10 management of the remaining claims of the patents-in-suit.

11 WHEREAS the parties anticipate that a short extension to the deadline to file the Further
12 Joint Case Management Statement will allow them to either agree on a proposed case schedule
13 or further reduce the issues for the Court to decide relating to further management of this case.

14 IT IS HEREBY STIPULATED AND AGREED, by and among the parties and their
15 respective counsel of record and with the permission of the Court, that the parties may file the
16 Further Joint Case Management Statement on or before November 7, 2014.

17 Respectfully submitted,

18
19 Dated: November 4, 2014

By: /s/ Richard G. Frenkel
Richard G. Frenkel
LATHAM & WATKINS LLP
Counsel for WhatsApp, Inc.

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22 Dated: November 4, 2014

By: /s/ Timothy Devlin
Timothy Devlin
DEVLIN LAW FIRM LLC
Counsel for InterCarrier Communications, LLC

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FILER’S ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), Richard G. Frenkel hereby attests that the concurrence in the filing of this document has been obtained from the other signatories, which shall serve in lieu of their signatures.

By: /s/ Richard G. Frenkel
Richard G. Frenkel
LATHAM & WATKINS LLP
Counsel for WhatsApp, Inc.

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 4, 2014

