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Attorneys for Plaintiff and Counter-Defendant
 WHATSAPP INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

17 WHATSAPP INC.,
 18
 19 Plaintiff and
 20 Counter-Defendant
 21 v.
 22 INTERCARRIER COMMUNICATIONS
 23 LLC,
 24
 25 Defendant and
 26 Counter-Plaintiff

CASE NO. 3:13-CV-4272-JST
**STIPULATION TO EXTEND
 DEADLINES SET FORTH IN THE
 COURT'S NOVEMBER 17, 2014
 SCHEDULING ORDER**

1 Plaintiff WhatsApp Inc. (“WhatsApp”) and Defendant Intercarrier Communications, LLC
2 (“ICC”) hereby respectfully submit this joint motion to extend the deadlines set forth in the
3 Court’s November 16, 2014 Scheduling Order (Dkt. 107). The parties have been and are
4 currently engaged in negotiations for amicable resolution of the above-captioned matter and
5 request additional time to further these discussions.

6 According to the Court’s most recent Scheduling Order, ICC is supposed to serve
7 updated infringement contentions and supporting evidence today, February 10, 2015. The
8 parties have conferred, and subject to the Court’s approval, the parties agree to amend the
9 Court’s November 17, 2014 Scheduling Order to move this deadline to March 10, 2015 and the
10 remainder of the deadlines as follows:

Event	Original Deadline	Amended Deadline
ICC serves updated infringement contentions and supporting evidence	February 10, 2015	March 10, 2015
ICC files motion for leave to amend its infringement contentions	February 19, 2015	March 19, 2015
WhatsApp files its limited motion for summary judgment of non-infringement	March 17, 2015	April 14, 2015
Summary Judgment opposition	April 7, 2015	May 5, 2015
Summary Judgment reply	April 21, 2015	May 19, 2015
Summary Judgment hearing	May 12, 2015 at 2:00 p.m.	June 9, 2015 ¹
Parties submit further joint case management statement proposing a schedule through trial	14 days after the Court rules on WhatsApp’s limited motion for summary judgment	14 days after the Court rules on WhatsApp’s limited motion for summary judgment

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24 The case schedule was previously modified, as follows:

- 25 1. The time for the case management conference was previously extended from
26 December 11, 2013 to January 22, 2014.

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¹ Subject to the Court’s availability

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2. The time to exchange preliminary claim constructions and supporting evidence was extended from May 5, 2014 to May 13, 2014.
3. The time for ICC to file a replacement opening claim construction brief was extended from July 21, 2014 to July 23, 2014.
4. The time for WhatsApp to file its claim construction brief was extended from August 4, 2014 to August 5, 2014.
5. The time for ICC to file its reply claim construction brief was extended from August 11, 2014 to August 18, 2014.
6. The time for the technology tutorial hearing was extended from September 8, 2014 to September 30, 2014.
7. The time for the claim construction hearing was extended from September 23, 2014 to October 14, 2014.
8. The time for WhatsApp to serve its supplemental invalidity contentions was extended from October 27, 2014 to November 12, 2014.
9. The time for the parties to serve its Further Joint Case Management Statement was extended from November 5, 2014 to November 7, 2014 and again to November 11, 2014.

WHEREFORE, WhatsApp and ICC respectfully request the Court to modify its November 16, 2014 Scheduling Order to permit the extensions as set forth above.

Respectfully submitted,

Dated: February 10, 2015

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

Dated: February 10, 2015

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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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: February 12, 2015

