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Attorneys for Defendant
 APPLE INC.

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

17 AYLUS NETWORKS, INC., a Delaware
 corporation,
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 Plaintiff,
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 vs.
 20 APPLE INC., a California corporation
 21
 Defendant.
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CASE NO. 3:13-cv-4700-EMC

**STIPULATION AND ~~[PROPOSED]~~
 ORDER REGARDING FACT
 DISCOVERY**

1 Pursuant to Magistrate Judge Westmore’s Order of November 2, 2015 (Dkt. 201),
2 the parties respectfully submit this Stipulation And [Proposed] Order Regarding Fact
3 Discovery.

4 WHEREAS, the Court’s Case Management Order set a cut-off date of June 4, 2015
5 for fact discovery (Dkt. 108);

6 WHEREAS, on October 13, 2015, Aylus filed a motion to strike certain opinions
7 of Apple’s non-infringement expert Dr. Nathaniel Polish regarding a design alternative
8 identified by Dr. Polish;

9 WHEREAS, on November 2, 2015, Judge Westmore denied Aylus’ motion but
10 ruled that Aylus is entitled to conduct a 4-hour deposition of Apple engineer Colin
11 Meldrum regarding the design alternative identified by Dr. Polish (Dkt. 201 at 6);

12 WHEREAS, Judge Westmore further ruled that “[t]he parties shall prepare a
13 stipulation to the presiding judge seeking leave to conduct” Mr. Meldrum’s deposition
14 (*id.*);

15 WHEREAS, the parties have agreed that Mr. Meldrum’s deposition should take
16 place at 10 a.m. on December 4, 2015 at the Redwood Shores office of Aylus’ counsel
17 Quinn Emanuel;

18 NOW, THEREFORE, the parties respectfully request that the Court issue an order
19 extending the fact discovery cut-off to allow a 4-hour deposition of Mr. Meldrum at 10
20 a.m. on December 4, 2015, at Quinn Emanuel’s Redwood Shores office.

21 **IT IS SO STIPULATED.**

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Dated: December 2, 2015

Respectfully submitted,
QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By: /s/ Amar L. Thakur
AMAR L. THAKUR
Attorneys for Plaintiff
Aylus Networks, Inc

Dated: December 2, 2015

DLA PIPER LLP (US)

By: /s/ Erik R. Fuehrer
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ROBERT BUERGI
ROBERT WILLIAMS
ERIK R. FUEHRER
JONATHAN HICKS
Attorneys for Defendant
Apple, Inc.

[PROPOSED] ORDER

IT IS HEREBY ORDERED that:

Defendant Apple Inc. shall present Colin Meldrum for deposition at 10 a.m. on December 4, 2015, at the Redwood Shores office of Aylus' counsel Quinn Emanuel. Said deposition shall last no more than 4 hours on the record and shall be limited to questioning and testimony regarding the design alternative identified in the non-infringement report of Apple's expert Dr. Nathaniel Polish.

IT IS SO ORDERED.

Dated: 12/3/15



1 ATTESTATION CLAUSE

2 I, Joseph B. Martin, am the ECF User whose identification and password are being
3 to file this Stipulation and [Proposed] Order. Concurrence to the filing of this document
4 was obtained from Erik R. Fuehrer, counsel for Apple Inc., on December 2, 2015.

5 I declare under penalty of perjury under the laws of the United States that the
6 foregoing is true and correct.

7 Dated: December 2, 2015

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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10 By: /s/ Joseph B. Martin

11 Joseph B. Martin
12 Attorneys for Plaintiff
13 Aylus Networks, Inc.
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