

MDL Docket No. 3:10- md-2143 RS; Case No. 3:13-cv-4991 RS

1	
1	WHEREAS, on July 10, 2014, the Court entered an Order Denying Defendants' Joint
2	Motion to Dismiss and Granting the Pioneer Defendants' Motion to Dismiss with Leave to
3	Amend (MDL Dkt. 1344);
4	WHEREAS, on July 30, 2014, plaintiffs Acer America Corporation, Gateway, Inc., and
5	Gateway U.S. Retail, Inc., f/k/a eMachines, Inc. (collectively, "Acer") filed a Second Amended
6	Complaint for Damages and Injunctive Relief (MDL Dkt. 1361);
7	WHEREAS, pursuant to the Joint Stipulation and Order Regarding Defendants'
8	Responses to Second Amended Complaint entered by this Court on July 18, 2014 (MDL Dkt.
9	1351), Defendants' responses to Acer's Second Amended Complaint are currently due August 29,
10	2014; and
11	WHEREAS, defendants Toshiba Samsung Storage Technology Korea Corporation
12	("TSSTK"), Toshiba Samsung Storage Technology Corporation ("TSST"), Toshiba Corporation
13	("Toshiba Corp."), and Toshiba America Information Systems, Inc. ("TAIS") are continuing to
14	review their Answers to Acer's Second Amended Complaint, and Acer has agreed that TSSTK,
15	TSST, Toshiba Corp. and TAIS shall have an additional week, until September 5, 2014, to file
16	their respective Answers.
17	It is therefore STIPULATED and AGREED, subject to Court approval, that:
18	Defendants TSSTK, TSST, Toshiba Corp. and TAIS shall have until September 5, 2014 to
19	file their respective Answers to Acer's Second Amended Complaint.
20	IT IS SO STIPULATED.
21	
22	DATED: August 28, 2014 LATHAM & WATKINS LLP
23	By <u>/s/ Belinda S Lee</u> BELINDA S LEE
24	BELINDA S LEE
25	505 Montgomery Street, Suite 2000 San Francisco, CA 94111
26	Tel: 415-395-8240 Fax: 415-395-8095
27	belinda.lee@lw.com
28	Counsel for Defendants Toshiba Samsung Storage
	1
LATHAM & WATKINS LLP Attorneys At Law San Francisco	Stipulation and [Proposed] Order re Certain Defendants' Responses to Second Amended Complaint

MDL Docket No. 3:10- md-2143 RS; Case No. 3:13-cv-4991 RS

1 Technology Korea Corporation, Toshiba Samsung Storage Technology Corporation, Toshiba Corporation, and Toshiba America Information Systems, Inc.   4 Dated: August 28, 2014 CARLTON FIELDS JORDEN BURT, P.A.   5 By/s/ David B. Esau DAVID B. ESAU (pro hac vice)
Dated: August 28, 2014 CARLTON FIELDS JORDEN BURT, P.A.
5
6 DAVID B. ESAU (pro hac vice)
7 City Place Tower 525 Okeechobee Boulevard, Suite 1200
8 West Palm Beach, Florida 33401-6350 desau@cfjblaw.com
9 Telephone: (561) 659-7070
10 Hsiang ("James") H. Lin (SBN 241472) jlin@techknowledgelaw.com
11 TECHKNOWLEDGE LAW GROUP LLP 1521 Diamond Street
12 San Francisco, CA 94131 Telephone: (415) 816-9525
13 Attorneys for Plaintiffs
14 ACER AMERICA CORPORATION; GATEWAY,
15 INC.; AND GATEWAY U.S. RETAIL, INC., F/K/A EMACHINES, INC.
Pursuant to Civil Local Rule 5-1(i)(3), the filer attests that concurrence in the filing of
17 this document has been obtained from each of the signatories.
18 <b>PURSUANT TO STIPULATION, IT IS SO ORDERED</b> .
19
20
21 DATED: <u>8/29/14</u>
22 HONORABLE RICHARD SEEBORG UNITED STATES DISTRICT COURT JUDGE
23
24
25
26
27
28
LATHAM®WATKINSup Attorneys At Law SAN FRANCISCO 2 Stipulation and [Proposed] Order re Certain Defend Responses to Second Amended Comp