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Attorneys for Defendants  
RPOST HOLDINGS, INC. AND  
RPOST COMMUNICATIONS  
LIMITED

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

14 SYMANTEC CORPORATION,

15 Plaintiff,

16 v.

17 RPOST HOLDINGS INC. and RPOST  
18 COMMUNICATIONS LIMITED,

19 Defendants.

Case No.: 3:14- 00238 VC

**STIPULATION AND ~~PROPOSED~~  
ORDER TO EXTEND SCHEDULE  
AS MODIFIED**

20 Plaintiff Symantec Corporation and Defendants RPost Holdings Inc. and RPost  
21 Communications Limited (collectively "RPost") hereby stipulate and agree, subject to the Court's  
22 availability and approval, as follows:

23 WHEREAS, on June 11, 2014, this Court issued an order reassigning this case to Judge  
24 Chhabria and relating it to case no 13-cv-05227.

25 WHEREAS, the parties' prior scheduling order includes a claim construction briefing  
26 schedule prior to dispositive motions.

27 WHEREAS, this Court's June 3, 2014 Standing Order indicates that the Court will only  
28 conduct claim construction in conjunction with a dispositive motion.

1 WHEREAS, defendants RPost Holdings Inc. and RPost Communications Limited  
2 (collectively, “RPost”) had not yet asserted infringement of U.S. Patent Nos. 8,504,628,  
3 8,468,199, 8,209,389, 8,224,913 and 7,966,372 (“the RPost patents”) at the time the parties  
4 provided the prior scheduling order to Judge Seeborg.

5 WHEREAS, RPost filed an answer on June 23, 2014 which asserts counterclaims of  
6 infringement of the RPost patents.

7 WHEREAS, the parties have conferred and RPost seeks to extend the time to serve  
8 infringement contentions by one week until June 30, 2014 while Symantec seeks to extend the  
9 time to serve invalidity contentions to the full 45 days permitted under the Patent Local Rules.

10 WHEREAS, the following proposed schedule generally follows the schedules set out in  
11 the Federal Rules of Civil Procedure, the Local Rules of this Court, the Patent Local Rules and  
12 this Court’s standing orders. The parties have exchanged initial disclosures and RPost filed its  
13 answer to Symantec’s First Amended Complaint on June 23, 2014.

14 WHEREFOR, the parties hereby stipulate to the following schedule, subject to the Court’s  
15 availability and approval:

Proposed Date	Current Date	Event
n/a	May 29, 2014	Last day for Symantec to serve Infringement Contentions and comply with Patent L.R. 3-1 and 3-2 for U.S. Patent No. 6,442,686 (“’686 patent”)
June 30, 2014	June 23, 2014	Last day for RPost to serve Infringement Contentions and comply with Patent L.R. 3-1 and 3-2 for U.S. Patent Nos. 8,504,628, 8,468,199, 8,209,389, 8,224,913 and 7,966,372 (“the RPost patents”)
July 11, 2014 (45 days after Patent L.R. 3-1 and 3-2 disclosures)	July 11, 2014	Last day for RPost to serve Invalidity Contentions and comply with Patent L.R. 3-3 and 3-4 for the ’686 patent
August 14, 2014 (45 days after Patent L.R. 3-1 and 3-2 disclosures)	July 7, 2014	Last day for Symantec to serve Invalidity Contentions and comply with Patent L.R. 3-3 and 3-4 for the RPost patents

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<p>August 28, 2014          (14 days after Symantec's Patent L.R. 3-3 and 3-4 disclosures and 48 days after RPost's Patent L.R. 3-3 and 3-4 disclosures)</p>	<p>August 15, 2014</p>	<p>Last day for simultaneous exchange of proposed terms and claim elements for construction and comply with Patent L.R. 4-1 for all patents</p>
<p>September 4, 2014          (7 days after Patent L.R. 4-1 disclosures)</p>	<p>August 1, 2014</p>	<p>Last day for the parties to meet and confer regarding the proposed terms for all patents</p>
<p>September 18, 2014          (14 days after the deadline to meet and confer regarding proposed terms)</p>	<p>August 15, 2014</p>	<p>Last day for parties to exchange Proposed Claim Constructions and provide preliminary identification of extrinsic evidence and comply with Patent L.R. 4-2 for all patents</p>
<p>September 25, 2014          (7 days after Patent L.R. 4-2 disclosures)</p>	<p>September 2, 2014</p>	<p>Last day for parties to meet and confer regarding narrowing issues and finalizing preparation of Joint Claim Construction and Prehearing Statement for all patents</p>
<p>October 9, 2014, 2014          (14 days after parties meet and confer regarding narrowing issues and finalizing Joint Claim Construction and Prehearing Statement)</p>	<p>September 9, 2014</p>	<p>Last day for parties to file Joint Claim Construction and Prehearing Statement and comply with Patent L.R. 4-3 for all patents</p>
<p>December 8, 2014          (60 days after Patent L.R. 4-3 Joint Claim Construction Chart)</p>	<p>October 9, 2014</p>	<p>Last day to take discovery relating to claim construction and comply with Patent L.R. 4-4 for all patents</p>

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January 7, 2015 (30 days after last day to take discovery relating to claim construction and comply with Patent L.R. 4-4)	n/a	Last day to identify expert witnesses for all patents
March 6, 2015 (58 days after last day to identify expert witnesses)	March 6, 2015	Close of Fact Discovery for all patents (except for discovery under Patent L.R. 3-7)
April 15, 2015 (40 days after close of fact discovery)	n/a	Parties with the burden of proof designate expert witnesses (non-claim construction issues) and serve expert reports for all patents
May 15, 2015 (30 days after service of initial expert reports)	n/a	Parties designate rebuttal expert witnesses (non-claim construction issues) and serve rebuttal expert reports for all patents
June 15, 2015 (31 days after service of initial expert reports)	n/a	Close of Expert Discovery (except for discovery under Patent L.R. 3-6(a)) for all patents
July 15, 2015 (30 days after close of expert discovery)	October 24, 2014	Last day for parties to file opening claim construction brief and supporting evidence and comply with Patent L.R. 4-5(a) and for parties to file dispositive motions for all patents
August 5, 2015 (21 days after service of claim construction and dispositive motion briefs)	November 7, 2014	Last day for parties to file response claim construction brief and supporting evidence and comply with Patent L.R. 4-5(b) and for parties to file oppositions to dispositive motions for all patents
August 19, 2015 (14 days after service of responsive claim construction brief and oppositions to dispositive motions)	November 14, 2014	Last day for parties to file reply claim construction brief and rebuttal evidence and comply with Patent L.R. 4-5(c) and for parties to file reply briefs in support of dispositive motions for all patents

1 2 3 4 5 6 7	September 2, 2015 (14 days after filing of claim construction and summary judgment reply briefs or to be determined based upon the Court's availability)	<del>November 21, 2014</del> November 25, 2014	Technology Tutorial for the Court and Claim Construction Prehearing Conference for all patents
8 9 10 11 12	September 16, 2015 (14 days after Technology Tutorial or to be determined based upon the Court's availability)	<del>December 5, 2014</del> December 9, 2014	Claim Construction Hearing pursuant to Patent L.R. 4-6 and hearing regarding dispositive motions for all patents
13 14 15 16	To be determined by the Court (30 days after claim construction order)	n/a	Last day to amend contentions under Patent L.R. 3-6(a) for all patents
17 18 19	To be determined by the Court (60 days after claim construction order)	n/a	Last day to make advice of counsel disclosures pursuant to Patent L.R. 3-7 for all patents
20 21 22	To be determined by the Court (90 days after claim construction order)	n/a	Close of discovery under Patent L.R. 3-7 and Expert Discovery under Patent L.R. 3-6(a) for all patents
23	To be determined by the Court	n/a	Final Pretrial Conference and hearing on motions in Limine
24 25	To be determined by the Court	n/a	Trial

**IT IS SO STIPULATED.**

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Dated: June 25, 2014

FENWICK & WEST LLP

By: /s/ Michael J. Sacksteder

Michael J. Sacksteder

Attorneys for Plaintiff  
Symantec Corporation

Dated: June 25, 2014

HUDNELL LAW GROUP

By: /s/ Lewis E. Hudnell, III

Lewis E. Hudnell, III

Attorneys for Defendants  
RPost Holdings, Inc. and  
RPost Communications Limited

**ATTORNEY ATTESTATION**

I, Michael J. Sacksteder, attest that concurrence in the filing of this document has been obtained from any signatories indicated by a “conformed” signature (/s/) within this e-filed document. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 25, 2014

FENWICK & WEST LLP

By: /s/ Michael J. Sacksteder

Michael J. Sacksteder

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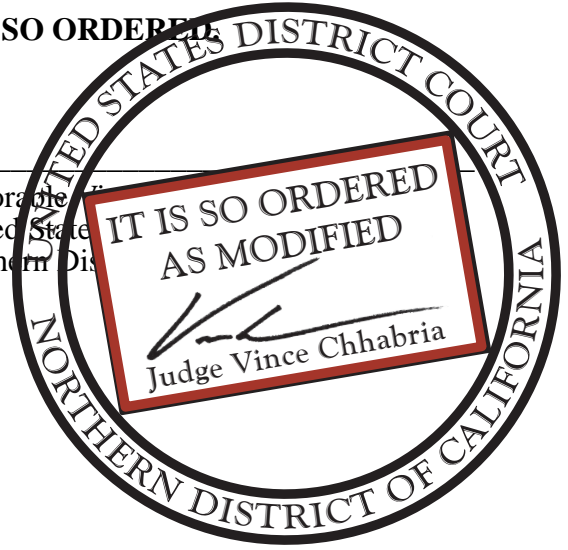
**ORDER ON THE FOREGOING STIPULATION**

The Court, having reviewed the above stipulation and finding good cause therefor, renders this stipulation a binding ORDER of this Court.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: June 27, 2014

Honorable \_\_\_\_\_  
United States District Court  
Northern District of California



FENWICK & WEST LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO