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1 2 3 4 5 6 7 8 9	QUINN EMANUEL URQUHART & SULLIVA Robert W. Stone (CA Bar No. 163513) robertstone@quinnemanuel.com Andrew J. Bramhall (CA Bar No. 253115) andrewbramhall@quinnemanuel.com Brice C. Lynch (CA Bar No. 288567) bricelynch@quinnemanuel.com 555 Twin Dolphin Drive, 5 th Floor Redwood Shores, CA 94065 T: 650.801.5000 F: 650.801.5100 Attorneys for IBM CORPORATION UNITED STATES	N, LLP DISTRICT COURT	
10	NORTHERN DISTRICT OF CALIFORNIA		
11	SAN FRANCISCO DIVISION		
12	TWIN PEAKS SOFTWARE INC.,	CASE NO. 3:14-cv-03933-JST	
13	Plaintiff,	JOINT STIPULATION AND [PROPOSED] ORDER TO MODIFY CASE DEADLINES	
14	VS.	PURSUANT TO CIVIL L.R. 6-2	
15	IBM CORPORATION,	Hon. Jon S. Tigar	
16	Defendant.		
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20		CASE NO. 3:14-cv-03933-JST	
	JOINT STIPULATION AND [PROPOSED] ORDER TO MODIFY CASE DEADLINES PURSUANT TO CIVIL L.R. 6-2 Dockets.Justia.com		

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STIPULATED MOTION TO MODIFY THE SCHEDULING ORDER

2 Pursuant to Civil Local Rule 6-2, Plaintiff Twin Peaks Software Inc. ("Twin Peaks") and 3 Defendant International Business Machines Corporation ("IBM"), by and through their respective counsel of record hereby stipulate and request that the Court enter an order modifying certain case 4 5 deadlines as set forth below. In support of this request, the parties state as follows: WHEREAS, on January 7, 2015, the Court entered its scheduling order in this case, which 6 7 set deadlines through the claim construction hearing on December 8, 2015. (Dkt. No. 29.); 8 WHEREAS, pursuant to the scheduling order, Twin Peaks timely served its Patent Local 9 Rule 3-1 Disclosure of Asserted Claims and Infringement Contentions on February 9, 2015; 10 WHEREAS, IBM believed Twin Peaks' infringement contentions to be deficient, and sent a letter on February 25, 2015 to Twin Peaks to that effect; 11 12 WHEREAS, on March 9, 2015, Twin Peaks responded in writing to IBM's letter, served 13 an Amended Disclosure of Asserted Claims, and produced additional documents to IBM pursuant to Patent Local Rule 3-2; 14 WHEREAS, as a result of discussions between the parties regarding these matters, Twin 15 Peaks and IBM have agreed to jointly request that the Court briefly extend certain deadlines 16 imposed by the scheduling order, including the deadline for IBM to serve its Patent Local Rule 3-3 17 Invalidity Contentions; 18 19 WHEREAS, this is the first time the parties have sought to make any modifications to the Court's scheduling order; 20 21 WHEREAS, prior to this motion, IBM and Twin Peaks have made only one request to extend a deadline in this case. (Dkt. No. 10.); 22 WHEREAS, the parties' proposed extensions do not affect the dates of the technology 23 24 tutorial and claim construction hearing, nor do they reduce the time available to the Court to review materials between the conclusion of claim construction briefing and the claim construction 25 hearing. The proposed modifications also do not affect any deadlines for filing or lodging 26 materials with the Court; 27 28

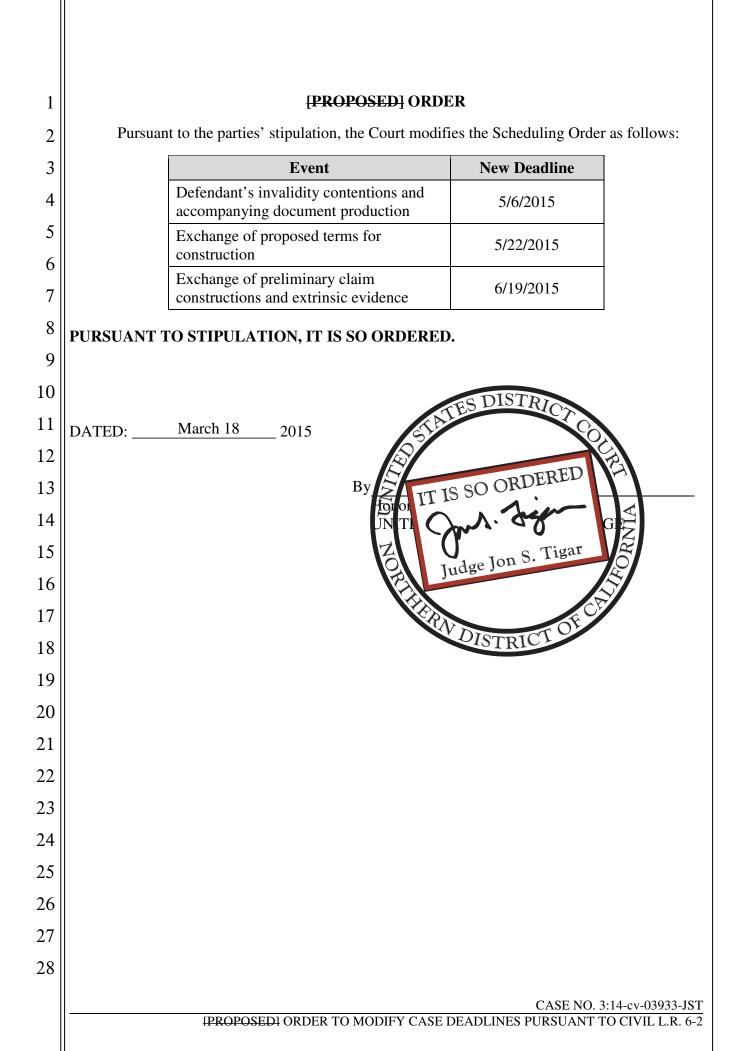
WHEREAS, the parties do not believe the extension sought hereby will prejudice either party or result in undue delay;

WHEREAS, counsel for IBM, Andrew J. Bramhall, has submitted a supporting declaration with this stipulation pursuant to Civil Local Rule 6-2(a);

NOW THEREFORE, in consideration of the forgoing, IBM and Twin Peaks by and through their undersigned counsel, hereby stipulate and request that the Court modify the 7 scheduling order as set forth in the following table:

8	Event	Scheduling Order	Proposed Schedule
9	Defendant's invalidity contentions and accompanying document production	4/6/15	5/6/2015
) 1	Exchange of proposed terms for construction	4/29/15	5/22/2015
2	Exchange of preliminary claim constructions and extrinsic evidence	6/10/15	6/19/2015
3	Joint claim construction and prehearing statement	7/15/15	No Change
f	Claim construction discovery cut-off	8/14/15	No Change
5	Claim construction opening brief	9/30/15	No Change
5	Claim construction responsive brief	10/21/15	No Change
	Claim construction reply brief	10/30/15	No Change
7	Tutorial	11/17/15 2:00 p.m.	No Change
3	Claim construction hearing	12/8/15 1:30 p.m.	No Change

1	IT IS SO STIPULATED.	
2	DATED: March 18, 2015	QUINN EMANUEL URQUHART &
3	DATED. Watch 10, 2015	SULLIVAN, LLP
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5		By <i>/s/ Andrew J. Bramhall</i> Andrew J. Bramhall
6		Attorney for Defendant International Business Machines Corporation
7		Wachines Corporation
8	DATED: March 18, 2015	HAUSFELD LLP
9	DATED. March 18, 2015	HAUSFELD LLF
10		By /s/ Bruce J. Wecker
11		Bruce J. Wecker Attorneys for Plaintiff Twin Peaks Software Inc
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		-3- CASE NO. 3:14-cv-03933-JST JOINT STIPULATION AND [PROPOSED] ORDER TO MODIFY CASE DEADLINES PURSUANT TO CIVIL L.R. 6-2



1	FILER'S ATTESTATION		
2	Pursuant to Civil Local Rule 5-1(i) regarding signatures, I, Andrew J. Bramhall, attest that		
3	concurrence in the filing of this document has been obtained from each of the other signatories. I		
4	declare under penalty of perjury under the laws of the United States of America that the foregoing		
5	is true and correct.		
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8	DATED: March 18, 2015 By <i>/s/ Andrew J. Bramhall</i> Andrew J. Bramhall		
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10	Attorney for Defendant International Business Machines Corporation		
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