1	DIANA RUTOWSKI (CA Bar No. 233878)				
2	drutowski@orrick.com GEORGE KANABE (CA Bar No. 284779)				
3	gkanabe@orrick.com ANDREW S. ONG (CA Bar No. 267889)				
4	aong@orrick.com ORRICK, HERRINGTON & SUTCLIFFE LLP 1000 Marsh Road Menlo Park, California 94025				
5					
6	Telephone: (650) 614-7400 Facsimile: (650) 614-7401				
7	Attorneys for Defendant and Counterclaimant, SHOPKICK, INC.	,			
8					
9	UNITED STATES DISTRICT COURT				
10	NORTHERN DISTRICT OF CALIFORNIA				
11	SAN FRANCISCO DIVISION				
12					
13	NOVITAZ, INC.,	Case No. 3:14-cv-05077 WHO			
14 15	Plaintiff,	STIPULATION PURSUANT TO L.R. 6-1(B) AND ORDER TO			
16	V.	MODIFY CASE SCHEDULE			
17	SHOPKICK, INC.,				
18	Defendant.				
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		STIPULATION AND ORDER TO MODIFY CASE SCHEDULE CASE NO. 3:14-CV-05077 WHO			

- Pursuant to Local Rule 6-1(b), Plaintiff Novitaz, Inc. and Defendant shopkick, Inc., by 1
- 2 and through the undersigned counsel, hereby stipulate and agree to the following proposed

modifications to the current Case Schedule (see Dkt. No. 145): 3

4	Event	Current Date	Modified Date
5	Patent L.R. 4-3 Joint Claim Construction	September 24, 2015	[unchanged]
5	and Prehearing Statement Patent L.R. 4-4 Close of Claim	October 8, 2015	[unahangad]
6	Construction Discovery	October 8, 2015	[unchanged]
7			
	[other than claim construction		
8	depositions listed below] Patent L.R. 4-5(a) Opening Claim	October 29, 2015	[unchanged]
9	Construction Brief	00000127,2015	[unenangeu]
9	Deadline for shopkick to conduct claim	[none]	November 12, 2015
10	construction deposition of Jayant		
	Ramchandani Patent L.R. 4-5(b) Responsive Claim	December 7, 2015	[unchanged]
11	Construction Brief	December 7, 2013	[unchanged]
12	Deadline for Novitaz to conduct claim	[none]	December 14, 2015
	construction depositions of Walter		
13	Overby and Marc Prioleau	December 21, 2015	[unchanged]
14	Patent L.R. 4-5(c) Reply Claim Construction Brief	December 21, 2015	[unchanged]
17	Claim Construction Tutorial	January 22, 2016 at 10	[unchanged]
15		a.m. in Courtroom 12	
16	Claim Construction Hearing	January 29, 2016 at 10	[unchanged]
16	Fact discovery cut-off	a.m. in Courtroom 12 90 days after issuance of	[unchanged]
17	The det discovery eut-on	claim construction ruling	[unenangeu]
	Initial expert disclosures/reports (on issue	120 days after issuance	[unchanged]
18	where the party bears the burden of	of claim construction	
19	proof) Rebuttal expert reports	ruling 165 days after issuance	[unchanged]
	Rebuital expert reports	of claim construction	[unchanged]
20		ruling	
21	Close of expert discovery	195 days after issuance	[unchanged]
21		of claim construction	
22	Deadline for dispositive motions	ruling 225 days after issuance	[unchanged]
23		of claim construction	[unenungeu]
23		ruling	5 1 17
24	Hearing on dispositive motions	Subject to the Court's	[unchanged]
		convenience, ten months after issuance of claim	
25		construction ruling	
26	Final pretrial conference	Subject to the Court's	[unchanged]
		convenience, twelve	
27		months after issuance of claim construction ruling	
28	Trial	Subject to the Court's	[unchanged]
20		convenience, thirteen	
		- 2 -	STIPULATION AND ORDER T MODIFY CASE SCHEDULE CASE NO. 3:14-CV-05077 WHO

Event	Current Date	Modified Date	
	months after issuance o claim construction rulin		
The proposed modification			
	s merely extend the Patent Local		
discovery deadline with respect to three claim construction depositions.			
	hedule will not alter any other dat	tes currently set by the Co	
case scheduling order.			
IT IS SO STIPULATED.			
Dated: September 24, 2015 GRAY ROBINSON, P.A.			
1 ,	GATTEY LAW OFFICE		
		odrow H. Pollack OW H. POLLACK	
	NO	ntiff and Counter-Defendation VITAZ, INC.	
	ODDICK UPDDNCTO		
Dated: September 24, 2015	ORRICK, HERRINGTO	N & SUICLIFFE LLP	
	D (/D)		
		ana Rutowski A RUTOWSKI	
		endant and Counterclaima	
	SHC	PKICK, INC.	
IT IS SO ORDERED.			
	h/.	MOD	
Dated: September <u>28</u> , 2015			
		William H. Orrick ates District Judge	