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9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 PHOENIX TECHNOLOGIES LTD. a
 13 Delaware Corporation,

14 Plaintiff,

15 v.

16 VMWARE, INC., a Delaware Corporation,

17 Defendant.

18 VMWARE, INC., a Delaware Corporation,

19 Counterclaimant,

20 v.

21 PHOENIX TECHNOLOGIES LTD. a
 22 Delaware Corporation,

23 Counterdefendant.

Case No. 15-cv-01414-HSG

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER TO MODIFY CERTAIN EXPERT
 REPORT AND EXPERT DISCOVERY
 DEADLINES**

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STIPULATION AND ~~PROPOSED~~ ORDER

Pursuant to Civil Local Rule 6-2, Phoenix Technologies Ltd. (“Phoenix”) and VMware, Inc. (“VMware”) (collectively, the “Parties”) file this joint stipulation requesting that the Court issue an Order modifying certain deadlines relating to expert discovery.

WHEREAS, VMware’s rebuttal damages report deadline is June 10, 2016 (Dkt. No. 89);

WHEREAS, Phoenix’s reply damages report deadline is June 27, 2016 (*Id.*);

WHEREAS, the deadline for expert discovery is July 8, 2016 (*Id.*);

WHEREAS, per Civil Local Rule 37-3, the last day on which the Parties can file a motion to compel expert discovery is July 15, 2016;

WHEREAS, the Parties agreed to a short extension of these deadlines to accommodate the parties’ and certain experts’ schedules;

NOW, THEREFORE, Parties hereby stipulate and agree to the following deadlines:

- The deadline for VMware’s rebuttal damages report is continued from June 10, 2016 to June 13, 2016;
- The deadline for Phoenix’s reply damages report is continued from June 27, 2016 to June 30, 2016;
- The deadline for expert discovery is continued from July 8, 2016 to July 15, 2016; and
- The deadline for filing a motion to compel expert discovery is continued from July 15, 2016 to July 22, 2016.

The Parties submit that the schedule modification proposed above would not change any other deadlines in this case or for the Court.

IT IS SO STIPULATED.

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Dated: June 9, 2016

Dated: June 9, 2016

COOLEY LLP

MORRISON & FOERSTER LLP

/s/ Whitty Somvichian

/s/ Arturo J. González

Whitty Somvichian


Arturo J. González¹

Attorneys for Plaintiff and Counterdefendant
PHOENIX TECHNOLOGIES LTD.

Attorneys for Defendant and Counterclaimant
VMWARE, INC.

**PURSUANT TO THE PARTIES' STIPULATION,
IT IS SO ORDERED.**

Date: June 10, 2016


Honorable Haywood S. Gilliam, Jr.
United States District Judge

¹ I, Arturo J. González, am the ECF User whose ID and password are being used to file this Declaration. In compliance with Civil L.R. 5-1(i)(3) I hereby attest that Whitty Somvichian has concurred in this filing.