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 LIVEPERSON, INC.

18 **UNITED STATES DISTRICT COURT**  
 19 **NORTHERN DISTRICT OF CALIFORNIA**  
 20 **SAN FRANCISCO DIVISION**

22 24/7 Customer, Inc. and 24/7 Customer  
 23 International Holdings, Ltd.,

24 Plaintiffs,

25 v.

26 LivePerson, Inc.,

27 Defendant.

Civil Action No. 3:15-CV-02897-JST (KAW)  
 (Lead Case)  
 Civil Action No. 3:15-CV-05585-JST (KAW)

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO EXTEND BRIEFING  
 SCHEDULE FOR LIVEPERSON'S  
 MOTION FOR JUDGMENT ON THE  
 PLEADINGS**

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**STIPULATION AND [PROPOSED] ORDER**

Pursuant to Civil L. R. 6-2 and 7-12, the parties submit this stipulation to extend the briefing schedule for LivePerson’s Motion for Judgment on the Pleadings (Dkt. No. 126). The parties agree to the following proposed briefing schedule:

	<b>Current Due Date</b>	<b>Stipulated Due Date</b>
[24]7’s Opposition	March 17, 2017	March 23, 2017
LivePerson’s Reply	March 24, 2017	March 31, 2017
Hearing	April 13, 2017	April 20, 2017 <del>April 13, 2017 (no change)</del>

In its Motion for Judgment on the Pleadings, LivePerson requests the Court invalidate all ten patents asserted in this case as unpatentable under 35 U.S.C. § 101 as being directed to ineligible subject matter. Based on the number of patents at issue and the potential impact of the motion, the parties agree that the Opposition and Reply briefs will benefit from an extended briefing schedule. Moreover, the requested extension will avoid overlap with the private mediation session scheduled for March 20, 2017, pursuant to the Stipulation and Order Selecting ADR Process (Dkt. No. 122). The requested extension will not affect the case schedule.

Respectfully submitted,

Dated: March 10, 2017

O’MELVENY & MYERS LLP

/s/ Mark E. Miller

Attorneys for Plaintiffs  
[24]7 CUSTOMER, INC. and 24/7 CUSTOMER  
INTERNATIONAL HOLDINGS, LTD.

Dated: March 10, 2017

KIRKLAND & ELLIS LLP

/s/ Michael W. De Vries

Attorneys for Defendant  
LIVEPERSON, INC.

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**ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from Michael W. De Vries.

/s/ Mark E. Miller  
Mark Miller (S.B. No. 130200)  
markmiller@omm.com

Attorney for Plaintiffs  
[24]7 Customer, Inc. and 24/7 Customer  
International Holdings, Ltd.

**~~PROPOSED~~ ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 13, 2017

  
\_\_\_\_\_  
Hon. Jon S. Tigar  
United States District Judge