1 2 3 4 5 6 7 8 9	Louise Ann Fernandez, Esq. – State Bar No. 8 Email: <u>laf@jmbm.com</u> An Nguyen Ruda, Esq. – State Bar No. 21545 Email: <u>ahn@jmbm.com</u> JEFFER MANGELS BUTLER & MITCHEL 2 Embarcadero Center, 5th Floor San Francisco, CA 94111 Telephone: (415) 984-9613 Facsimile: (310) 712-3364 Benjamin Davidson, Esq. – State Bar No. 241 Email: <u>bdavidson@bendavidsonlaw.com</u> LAW OFFICES OF BENJAMIN DAVIDSOI 8383 Wilshire Boulevard, Suite 800 Beverly Hills, CA 90211 Telephone: (323) 456-8647 Facsimile: (310) 432-0104	53 LL LLP .859		
10	Attorneys for Plaintiff ARTEC GROUP, INC.			
11 12	[List of Counsel/Parties Continued on Next Page]			
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14	UNITED STATES DISTRICT COURT			
15	NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION			
16 17	ARTEC GROUP, INC., a California Corporation,	Case No. 15-cv-03449-EMC STIPULATION AND [PROPOSED] ORDER RE: EXTENSION OF		
18 19	Plaintiff, vs.	 OKDER RE: EATENSION OF EXPERT DISCOVERY AND DISPOSITIVE MOTION DEADLINES [L.R. 6-1(b), 6-2] (Revised) 		
20	ANDREY KLIMOV, an individual, et al.,) Judge: Honorable Edward M. Chen		
20 21	Defendants.) Trial Date: February 20, 2018		
21 22) Action Filed: July 27, 2015		
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	STIPULATION/ORDER RE: EXTENSION OF DEADLINES [L.R. 6.1(a), 6-2] 15-cv-03449-EMC			

1	[List of Counsel/Parties Continued]		
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9	Defendant <i>in pro per</i>		
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	STIPULATION/ORDER RE: EXTENSION OF DEADLINES [L.R. 6.1(a), 6-2] 15-cv-03449-EMC		

Pursuant to the United States District Court, Northern District of California Local
 Rules, Rules 6-1(b) and 6-2, Louise Ann Fernandez, attorney for plaintiff Artec Group,
 Inc. ("Artec" or "Plaintiff"), and defendants Andrey Klimov and Anna Stebleva
 ("Defendants"), *in pro per*, state and stipulate as follows:

Pursuant to the Court's February 3, 2017 Case Management and Pretrial
 Order for Jury Trial (the "CMO") (Dkt. 171), the deadline for the exchange of opening
 expert reports is currently scheduled for August 17, 2017, the deadline for the exchange of
 rebuttal expert reports is currently scheduled for September 17, 2017, the expert discovery
 cutoff is currently scheduled for September 28, 2017, and the last day for the hearing of
 dispositive motions is currently scheduled for November 9, 2017.

One of the main issues in this case is Artec's allegation that Defendants
 misappropriated Artec's proprietary source code. Artec therefore requested in discovery,
 first through written requests served in October 2016 and then through specific meet and
 confer efforts beginning in January 2017, that Defendants produce all relevant source code
 in their possession, custody or control.

3. Defendants contended that they were required to obtain third party
 permission before producing some of the source code in their possession, custody or
 control, and did not produce a substantial portion of their source code production to date,
 comprising approximately 85,000 lines of code, until July 12, 2017.

4. Source code analysis is a complex and time consuming endeavor, and the 20 21 parties agree that the current expert opening report deadline of August 17, 2017 does not provide Artec with sufficient time for its experts to fully and completely analyze 22 23 Defendants' source code. Additionally, due to the simultaneous motions for withdrawal of 24 counsel for all defendants on February 22, 2017, and the resultant stay of proceedings 25 through April 28, 2017 (Dkt. 225) and subsequently through May 12, 2017 (Dkts. 235-236), Artec has not been able to conduct all discovery with sufficient time to provide all 26 27 relevant discovery documents to its experts under the deadlines set forth in the CMO. 28

1	5. The parties therefore agree that the deadlines for opening and rebuttal expert		
2	reports and the expert discovery cutoff, and the last day for the hearing of dispositive		
3	motions, should be extended, in order to provide sufficient time for the necessary expert		
4	source code and discovery analysis for opening and rebuttal expert reports and expert		
5	discovery and the filing of dispositive motions based thereon, and that extension of those		
6	dates will not affect any other dates or deadlines in the CMO.		
7	6. None of the other dates or deadlines in the CMO have previously been		
8	extended by stipulation or Court order.		
9	THEREFORE, the Parties agree and request the Court to enter an order modifying		
10	the expert discovery and dispositive motion schedule in the CMO as follows:		
11	1. The deadline for opening expert reports shall be October 6, 2017 ; Sept. 28, 2	2017	
12	2. The deadline for rebuttal expert reports shall be October 27, 2017; $Oct. 12, 20$)17	
13	3. The expert discovery cutoff shall be November 8, 2017; and Oct. 26, 2017		
14	4. The last day dispositive motions may be heard shall be December 14, 2017. Nov. 30, 2017		
15	IT IS SO STIPULATED.		
16			
17	Concurrence in the filing of this stipulation has been obtained from each of the		
18	other Signatories.		
19	Dated: July 25, 2017 Respectfully submitted,		
20			
21	By: /s/ Louise Ann Fernandez		
22	Louise Ann Fernandez An Nguyen Ruda		
23	JEFFER MANGELS BUTLER & MITCHELL LLP		
24	Benjamin Davidson		
25	LAW OFFICES OF BENJAMIN DAVIDSON, P.C.		
26	Attorneys for Plaintiff ARTEC GROUP, INC.		
27			
28	[signatures continued on next page]		
	4 STIPULATION/ORDER RE: EXTENSION OF DEADLINES [L.R. 6.1(a), 6-2]		
	15-cv-03449-EMC		

