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 RESTORATION HARDWARE, INC. and RH US, LLC

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13 Attorneys for Defendant  
 14 HOUZZ INC.

15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17 SAN FRANCISCO DIVISION

19 RESTORATION HARDWARE, INC. and  
 RH US, LLC,

20 Plaintiffs,

21 v.

22 HOUZZ INC.,

23 Defendant.

Case No. 4:16-cv-00455-MMC

**JOINT STIPULATED REQUEST  
 TO EXTEND CERTAIN  
 PRETRIAL DATES AND  
~~PROPOSED~~ ORDER**

Hon. Maxine M. Chesney  
 Complaint Filed: January 26, 2016  
 Trial Date: July 10, 2017

1 Plaintiffs Restoration Hardware, Inc. and RH US, LLC (“Plaintiffs”) and Defendant  
2 Houzz Inc. (“Defendant”) stipulate and respectfully request the Court to extend certain dates in  
3 the schedule set by the Court in its Pretrial Preparation Order (Dkt. No. 27) and in its Order to  
4 Extend Certain Pretrial Dates (Dkt. No 41). In support of their request, the parties state as  
5 follows:

6 WHEREAS, the parties appeared before this Court for a scheduling conference on May 6,  
7 2016;

8 WHEREAS, the Court set certain dates for the parties’ pretrial schedule;

9 WHEREAS, the parties have held on-going discussions regarding settlement and attended  
10 a mediation on September 15, 2016 to discuss settlement;

11 WHEREAS, the parties stipulated to extend certain pretrial dates and the Court granted  
12 the extension on September 22, 2016 (Dkt. No. 41);

13 WHEREAS, since that time the parties have continued to discuss settlement and have  
14 agreed to arrange a second session with a private mediator;

15 WHEREAS, due to scheduling conflicts the parties cannot hold this mediation session  
16 until later in November;

17 WHEREAS, the parties are actively engaged in discovery;

18 WHEREAS, the parties have agreed to extend certain pretrial dates to permit the parties to  
19 engage in further settlement discussions with a private mediator and, if necessary, to complete  
20 fact and expert discovery; and

21 WHEREAS, there have been three previous extensions of time in this matter extending  
22 (i) Defendant’s time to answer (Dkt. No. 10), (ii) the Parties’ deadline by which to complete  
23 mediation (Dkt. No. 31), and (iii) certain pretrial dates (Dkt. No. 41) and the stipulated extension  
24 does not affect the scheduled trial date,

25 Based on the foregoing, the parties stipulate and respectfully request that this Court extend  
26 certain pretrial dates as follows:

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| <b>Event</b>  | <b>Current</b>    | <b>Proposed</b>   |
|---|-------------------|-------------------|
| Fact discovery cut off  | December 2, 2016  | December 16, 2016 |
| Opening expert report   | December 16, 2016 | December 31, 2016 |
| Rebuttal expert report  | January 13, 2017  | January 27, 2017  |
| Expert discovery cut off  | February 6, 2017  | February 13, 2017 |
| Dispositive motion deadline   | March 3, 2017     | March 10, 2017    |
| Last day for dispositive motion hearing (35 days after dispositive motion deadline) | April 7, 2017     | April 14, 2017    |
| Further Status Conference   | May 5, 2017       | May 5, 2017       |
| Pretrial Conference   | June 6, 2017      | June 6, 2017      |
| Trial   | July 10, 2017     | July 10, 2017     |

Dated: October 28, 2016

JENNIFER LEE TAYLOR  
ANNA FERRARI  
SABRINA A. LARSON  
MORRISON & FOERSTER LLP

By: s/ Jennifer Lee Taylor  
JENNIFER LEE TAYLOR

Attorneys for Plaintiffs  
RESTORATION HARDWARE, INC.  
and RH US, LLC

Dated: October 28, 2016

JENNIFER A. GOLINVEAUX  
WINSTON & STRAWN LLP

By: s/ Jennifer A. Golinveaux  
JENNIFER A. GOLINVEAUX

Attorneys for Defendant  
HOZZ INC.

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**ATTESTATION**

I, Jennifer Lee Taylor, am the ECF user whose ID and password are being used to file this Joint Stipulation to Extend Time to Respond to Complaint. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Jennifer A. Golinveaux has concurred in this filing.

Dated: October 28, 2016

JENNIFER LEE TAYLOR  
ANNA FERRARI  
SABRINA A. LARSON  
MORRISON & FOERSTER LLP

By: s/ Jennifer Lee Taylor  
JENNIFER LEE TAYLOR

Attorneys for Plaintiffs  
RESTORATION HARDWARE, INC.  
and RH US, LLC

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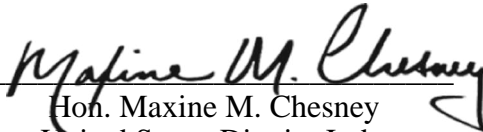
~~PROPOSED~~ ORDER EXTENDING DATES

The Parties' stipulated request to extend certain pretrial deadlines is hereby GRANTED:

| Event   | New Date   |
|---|--|
| Fact discovery cut off  | December 16, 2016                                |
| Opening expert report   | December 31, 2016                                |
| Rebuttal expert report  | January 27, 2017                                 |
| Expert discovery cut off  | February 13, 2017                                |
| Dispositive motion deadline   | March 10, 2017                                   |
| Last day for dispositive motion hearing<br>(35 days after dispositive motion<br>deadline) | April 14, 2017                                   |
| Further Status Conference   | May 5, 2017                                      |
| Pretrial Conference   | June 6, 2017 (meet and confer<br>by May 1, 2017) |
| Trial   | July 10, 2017                                    |

**IT IS SO ORDERED.**

Dated: October 28, 2016

  
Hon. Maxine M. Chesney  
United States District Judge