

1 **BARNES & THORNBURG LLP**
 2 Thomas J. Donovan (admitted *pro hac vice*)
 3 thomas.donovan@btlaw.com
 4 Roya Rahmanpour Bar, No. 285076
 5 roya.rahmanpour@btlaw.com
 6 2029 Century Park East, Suite 300
 7 Los Angeles, California 90067
 8 Telephone: 310. 284.3880
 9 Facsimile: 310. 284.3894

10 Attorneys for Defendants
 11 MIPOX INTERNATIONAL CORP.
 12 and MGN INTERNATIONAL, INC.

13 **WINSTON & STRAWN LLP**
 14 DAVID S. BLOCH (SBN: 184530)
 15 dbloch@winston.com
 16 AMANDA L. GROVES (SBN: 187216)
 17 agroves@winston.com
 18 101 California Street, Suite 3400
 19 San Francisco, CA 94111-5840
 20 Telephone: (415) 591-1000
 21 Facsimile: (415) 591-1400

22 **LOWELL D. JACOBSON (Pro Hac Vice)**
 23 ljacobson@winston.com
 24 35 W. Wacker Dr.
 25 Chicago IL 60601
 26 Telephone: (312) 558-5600
 27 Facsimile: (312) 558-5700

28 **JAMES C. LIN (SBN: 271673)**
 jalin@winston.com
 275 Middlefield Rd., Suite 205
 Menlo Park, CA 94025
 Telephone: (650) 858-6500
 Facsimile: (650) 858-6550

Attorneys for Plaintiff
 INTERNATIONAL TEST SOLUTIONS, INC.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

INTERNATIONAL TEST SOLUTIONS, INC. <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> MIPOX INTERNATIONAL CORPORATION and MGN INTERNATIONAL, INC. <p style="text-align: center;">Defendants.</p>	
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Case No.: 3:16-cv-00791-RS

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO EXTEND TIME FOR
 RESPONSIVE AND REPLY CLAIM
 CONSTRUCTION BRIEFS**

Action Filed: February 17, 2016

Judge: Honorable Richard Seeborg

1 Pursuant to Local Rules 6-2 and 7-12, Plaintiff International Test Solutions, Inc. (“ITS”) and
2 Defendants Mipox International Corporation (“Mipox”) and MGN International, Inc. (“MGN”)
3 (collectively, “Parties”), through their respective undersigned counsel, hereby stipulate¹ and request
4 an order:

- 5 1. Extending the due date for Defendants’ L.P.R 4-5(b) responsive claim construction brief
6 from December 19, 2016 to January 16, 2017.
- 7 2. Extending the due date for Plaintiff’s L.P.R. 4-5(c) reply claim construction brief from
8 December 27, 2016 to January 23, 2017.
- 9 3. Permitting Defendants to conduct a deposition of Darran Cairns and extending the close of
10 claim construction discovery, for the limited purpose of conducting this deposition, from
11 October 26, 2016 to December 30, 2016.

12 This extension of time is requested as part of a resolution of a dispute between the Parties
13 regarding Plaintiff’s rebuttal expert report from Darran Cairns. In connection with resolving this
14 dispute, the Parties agreed, among other things, that ITS will make available Dr. Cairns for
15 deposition on the week of December 19, 2016.

16 Accordingly, the Parties hereby stipulate through their respective counsel of record as
17 follows:

18 WHEREAS, the Parties served and filed the Joint Claim Construction and Prehearing
19 Statement on October 10, 2016, and Plaintiff served its Opening Claim Construction Brief on
20 December 5, 2016; and

21 WHEREAS, a dispute between the Parties has arisen regarding the rebuttal expert report of
22 Dr. Cairns included with Plaintiff’s Opening Claim Construction Brief;

23 WHEREAS, the Parties have resolved the dispute and, based on the resolution, Defendants
24 will need additional time to conduct their deposition of Dr. Cairns;

25 WHEREAS, extending the deadline as set forth herein will not otherwise extend the
26 remaining schedule for the case;

27 ¹ The parties previously stipulated to extend time for disclosure of invalidity contentions (Dkt. No.
28 39), to extend time for the parties’ joint claim construction and prehearing statement (Dkt. No. 44),
and to extend the time for filing of the opening claim construction brief (Dkt. No. 56).

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IT IS HEREBY STIPULATED by and between the Parties hereto that:

1. The due date for Defendants' L.P.R 4-5(b) responsive claim construction brief is extended from December 19, 2016 to January 16, 2017.
2. The due date for Plaintiff's L.P.R. 4-5(c) reply claim construction brief is extended from December 27, 2016 to January 23, 2017.
3. Defendants are permitted to conduct a deposition of Darran Cairns. The close of claim construction discovery is extended for the limited purpose of conducting this deposition from October 26, 2016 to December 30, 2016.

Date: December 9, 2016

By: WINSTON & STRAWN LLP
/s/ David S. Bloch
Amanda L. Groves
David S. Bloch
Lowell D. Jacobson
James C. Lin
Attorneys for Plaintiff
International Test Solutions, Inc.

Date: December 9, 2016

By: BARNES & THORNBURG LLP
/s/ Thomas J. Donovan
Thomas J. Donovan
Roya Rahmanpour
Attorneys for Defendants
Mipox International Corporation and
MGN International, Inc.

CONCURRENCE IN FILING


I, Thomas Donovan, hereby attest that the concurrence to the filing of this document has been obtained from each signatory hereto.

Date: December 9, 2016

By: /s/ Thomas J. Donovan
Thomas J. Donovan

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: 12/9/16

By: 
Richard Seeborg
UNITED STATES DISTRICT JUDGE