

1 CHARLES CARREON (CSB# 127139)  
 2 1257 Siskiyou Blvd., # 7  
 3 Ashland, Oregon 97520  
 4 Tel: 520-841-0835  
 5 Fax: 520-843-2083  
 6 Email: chas@charlescarreon.com

7 Attorney for Plaintiff Josslyn Motha

8 ERIC BALL (CSB No. 241327)  
 9 eball@fenwick.com  
 10 FENWICK & WEST LLP  
 11 Silicon Valley Center  
 12 801 California Street  
 13 Mountain View, CA 94041  
 14 Telephone: 650.988.8500  
 15 Facsimile: 650.938.5200

16 Attorneys for Defendants  
 17 Time Warner Cable Inc.,  
 18 Time Warner Cable Enterprises LLC,  
 19 Time Warner NY Cable LLC,  
 20 Charter Communications, Inc., and  
 21 Bank of America NA

22 UNITED STATES DISTRICT COURT

23 NORTHERN DISTRICT OF CALIFORNIA

24 JOSSLYN MOTHAS,

25 Plaintiff,

26 vs.

27 TIME WARNER CABLE, INC., TIME )  
 28 WARNER CABLE ENTERPRISES, LLC, )  
 TIME WARNER NY CABLE LLC, )  
 CHARTER COMMUNICATIONS, INC., )  
 AND BANK OF AMERICA NA, )

29 Defendants.

) Case No.: 3:16-cv-03585-HSG

) STIPULATION AND ORDER

) REGARDING INTERIM DISPOSITION OF

) DISPUTED INTELLECTUAL PROPERTY

) AND SCHEDULING



1 5. The requested schedule will not have an effect on the trial or discovery schedule for the  
2 case because a case schedule has not been proposed by the parties or ordered by the  
3 Court.

4 INTERIM DISPOSITION OF DISPUTED IP

5 6. Defendants shall:

- 6 a. not transfer or convey the intellectual properties identified in Exhibit A to the  
7 Complaint, or any domestic or foreign patents, patent applications, or patent  
8 continuations submitted based on the intellectual properties listed in Exhibit A  
9 (the "Disputed IP") prior to judgment in or dismissal of this action without first  
10 providing Plaintiff 45-days' notice of the intent to transfer the Disputed IP; and  
11 b. act in accordance with any order of the Court regarding the disposition of the  
12 Disputed IP, including but not limited to any order in connection with any motion  
13 filed by Plaintiff for a preliminary injunction.

14 7. The parties agree that this stipulation will not be used as evidence to support any  
15 inference, judgment or finding against any party regarding the Disputed IP.

16 8. In deciding any motion for preliminary injunction of Plaintiff filed in reliance upon this  
17 stipulation, the Court shall find no prejudicial delay on Plaintiff's part in filing the motion  
18 based on this stipulation. Defendants, however, reserve their rights regarding any delay  
19 alleged to have arisen prior to Plaintiff's filing of her Complaint.

20 9. The parties shall meet and confer in good faith on or before September 28, 2017 to  
21 discuss whether an extension of paragraph 6's notice provision is warranted, and in the  
22 event that it is not, the parties shall jointly stipulate to dissolve or amend the stipulation.

23  
24 Dated: September 19, 2016

CHARLES CARREON  
Attorney at Law

25  
26 By: /s/Charles Carreon  
CHARLES CARREON (127139)  
27 Attorney for Plaintiff Josslyn Motha  
28

1 Dated: September 20, 2016

FENWICK & WEST, LLP

2 By: /s/Eric Ball  
3 ERIC BALL (241327)  
4 Attorneys for Defendants  
5 Time Warner Cable Inc.,  
6 Time Warner Cable Enterprises LLC,  
7 Time Warner NY Cable LLC,  
8 Charter Communications, Inc., and  
9 Bank of America NA  
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1 **ORDER**

2 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED as follows:

- 3 1. The Case Management Conference is continued to November 8, 2016 at 2:00 p.m.
- 4 2. Defendants shall have until September 22, 2016 to file responses to the complaint.
- 5 3. Plaintiff shall have until October 27, 2016 to respond to said motions, and the
- 6 Defendants shall have until November 15, 2016 to file any reply to the Plaintiff's
- 7 response.
- 8 4. The parties will comply with the stipulation regarding the Disputed IP in paragraphs
- 9 6-9 of this stipulation.

10

11 Dated: September 21, 2016 \_\_\_\_\_

  
The Honorable Haywood S. Gilliam, Sr.  
United State District Judge

