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 and PLR IP Holdings, LLC

16 **UNITED STATES DISTRICT COURT**
 17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN FRANCISCO DIVISION**

19 GOPRO, INC.

20 Plaintiff,

21 v.

22 C&A MARKETING, INC., C&A
 23 LICENSING, LLC, AND PLR IP
 24 HOLDINGS, LLC,

25 Defendants.

Case No. 3:16-cv-03590-JST

**STIPULATION AND ~~PROPOSED~~
 ORDER TO SET AN EARLIER
 HEARING DATE ON PLAINTIFF'S
 MOTION TO STRIKE THE
 DECLARATION OF ALAN C. BOVIK IN
 SUPPORT OF DEFENDANTS'
 RESPONSIVE CLAIM CONSTRUCTION
 BRIEF (DKT. NO. 54)**

Complaint Filed: June 27, 2016

26
 27 **AND RELATED COUNTERCLAIMS**
 28

1 This Stipulation is entered into by Plaintiff GoPro, Inc. (“GoPro”) and Defendants C&A
2 Marketing, Inc.; C&A Licensing, LLC; and PLR IP Holdings, LLC (“Defendants”), subject to
3 approval of the Court.

4 WHEREAS, on May 19, 2017, GoPro moved to strike the Declaration of Alan C. Bovik
5 in Support of Defendants’ Responsive Claim Construction Brief (Dkt No. 54) (“Motion to
6 Strike);

7 WHEREAS, the Motion to Strike concerns the Declaration of Alan C. Bovik in Support of
8 Defendants’ Responsive Claim Construction Brief (Dkt. No. 48-2) that Defendants filed with
9 their Responsive Claim Construction Brief (Dkt No. 48) on May 12, 2017;

10 WHEREAS, the claim construction tutorial is scheduled for May 30, 2017 at 2:00 p.m.,
11 and the claim construction hearing is scheduled for June 12, 2017 at 1:30 p.m.;

12 WHEREAS, the Motion to Strike is currently scheduled to be heard on June 29, 2017 (the
13 soonest available hearing under the local rules and court calendar), with opposition briefs due
14 June 2, 2017 and reply briefs due June 9, 2017;

15 WHEREAS, good cause exists to set an earlier hearing schedule, as the parties would
16 benefit from the Court’s guidance in advance of the scheduled claim construction hearing, as the
17 declaration directly relates to the claim construction record on which the parties will base their
18 arguments at the claim construction hearing, and as the parties will already be before the Court
19 prior to the hearing for the tutorial;

20 IT IS HEREBY STIPULATED AND AGREED:

21 1. The time by which Defendants may file an opposition to the Motion to Strike is
22 shortened from June 2, 2017 to May 26, 2017;

23 2. GoPro waives its right to file a reply brief;

24 3. Good cause having been shown, the Parties request that the Court set a hearing
25 date of May 30, 2017 at 2:00 p.m. to coincide with the already scheduled claim construction
26 tutorial.

27 ///

28 ///

1 Dated: May 19, 2017

Dated: May 19, 2017

2 KILPATRICK TOWNSEND & STOCKTON LLP

MORRISON & FOERSTER LLP

3
4 /s/ Mehrnaz Boroumand Smith
5 MEHRNAZ BOROUMAND SMITH

/s/ Nathan B. Sabri
NATHAN B. SABRI

6 Attorneys for Plaintiff GoPro, Inc.

Attorneys for Defendants C&A
Marketing, Inc.; C&A Licensing, LLC;
and PLR IP Holdings, LLC

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8
9 **ATTESTATION OF E-FILED SIGNATURE**

10 I, Mehrnaz Boroumand Smith, am the ECF User whose ID and password are being used to
11 file this **STIPULATION AND [PROPOSED] ORDER TO SET AN EARLIER HEARING**
12 **DATE ON PLAINTIFF'S MOTION TO STRIKE THE DECLARATION OF ALAN C.**
13 **BOVIK IN SUPPORT OF DEFENDANTS' RESPONSIVE CLAIM CONSTRUCTION**
14 **BRIEF (DKT NO. 54)**. In compliance with Local Rule 5-1(i)(3), I hereby attest that Nathan B.
15 Sabri has concurred in this filing.

16
17 Dated: May 19, 2017

/s/ Mehrnaz Boroumand Smith
Mehrnaz Boroumand Smith

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19
20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21
22
23 Dated: May 24, 2017



Honorable Jon S. Ugar
United States District Judge