

1 Stuart C. Plunkett (State Bar No. 187971)
 2 stuart.plunkett@bakerbotts.com
 3 Ariel D. House (State Bar No. 280477)
 4 ariel.house@bakerbotts.com
 5 BAKER BOTTS LLP
 6 101 California Street, Suite 3070
 7 San Francisco, California 94111
 8 Telephone: (415) 291-6200
 9 Facsimile: (415) 291-6300

7 Paul R. Morico (pro hac vice)
 paul.morico@bakerbotts.com
 8 Elizabeth D. Flannery (pro hac vice)
 9 liz.flannery@bakerbotts.com
 10 BAKER BOTTS LLP
 11 One Shell Plaza
 12 901 Louisiana Street
 13 Houston, Texas 77002
 14 Telephone: (713) 229-1234
 15 Facsimile: (713) 229-1522

13 Counsel for Plaintiff
 14 The Regents of the University of California

15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**

18 THE REGENTS OF THE UNIVERSITY OF
 19 CALIFORNIA, a California corporation,
 20
 21 Plaintiff,
 22 v.
 23 ROGER JINTEH ARRIGO CHEN, an individual;
 24 GENIA TECHNOLOGIES, INC., a Delaware
 25 corporation; and DOES 1-25,
 26
 27 Defendants.

Case No. 3:16-cv-07396-EMC

**JOINT STIPULATION AND
 [PROPOSED] ORDER TO MODIFY
 DEADLINES UNDER CASE
 MANAGEMENT ORDER**

JURY TRIAL DEMANDED

1 Plaintiff Regents of the University of California's ("Plaintiff") and Defendants Roger
 2 Jinteh Arrigo Chen ("Chen") and Genia Technologies, Inc. ("Genia," and, together with Chen,
 3 "Defendants") (collectively, Plaintiff and Defendants are referred to as the "Parties"), have met-
 4 and-conferred and jointly stipulate and agree to move this Honorable Court to modify certain of
 5 the deadlines in the Court's Case Management and Pretrial Order for Jury Trial in this case (Dkt.
 6 75). The modifications to the deadlines in the Court's order are identified below, and the
 7 Proposed Order granting these modifications is attached hereto. The Trial Date (January 14,
 8 2019) and Final Pretrial Conference date (December 18, 2018) remain unchanged, although the
 9 Parties recognize that the requested modification of the Dispositive Motions hearing date may
 10 cause the Court to adjust those dates.

Case Event	Current Deadline	Revised Deadline
Trial Date	January 14, 2019	(unchanged)
Final Pretrial Conference	December 18, 2018	(unchanged)
Dispositive Motions (last day to be heard)	October 4, 2018	November 8, 2018 (or alternative date in November 2018 convenient for the Court)
Non-Expert Discovery Cutoff	May 31, 2018	July 13, 2018
Opening Expert Reports	July 12, 2018	August 13, 2018
Rebuttal Expert Reports	August 2, 2018	August 31, 2018
Expert Discovery Cutoff	August 23, 2018	September 24, 2018
ADR	June 15, 2018	(unchanged)
Further Status Conference	April 24, 2018	May 24, 2018 (or alternate date in late May 2018 convenient for the Court)

24
 25 During the last several months, the Parties have completed a substantial portion of the
 26 document and written discovery in this case. However, the Parties believe that further settlement
 27 discussions will be beneficial before the Parties expend significant resources on depositions and
 28 expert discovery. The Parties have had several productive settlement discussions and have

1 agreed to employ a mediator at this stage to further assist in exploring a settlement. The Parties
2 have also agreed to suspend further discovery activity and deadlines until May 11, 2018
3 (including any deadlines for briefing relating to any motions pending before the Court) to allow
4 time to complete that mediation. Thus, the Parties believe that they would benefit from having
5 additional time to continue exploring settlement. Accordingly, this stipulated modification is not
6 made for purposes of delay, but so that the Parties can further explore a potential resolution of
7 this dispute. The Parties respectfully request that the Court sign the Proposed Order attached
8 hereto.

9 **SO STIPULATED.**

10
11 Dated: April 2, 2018

12 **BAKER BOTTS LLP**

13
14 **By: /s/ Stuart C. Plunkett**
15 Stuart C. Plunkett (SBN 187971)
16 stuart.plunkett@bakerbotts.com
17 Ariel D. House (State Bar No. 280477)
18 ariel.house@bakerbotts.com
19 101 California Street, Suite 3070
20 San Francisco, California 94111
21 Telephone: (415) 291-6200
22 Facsimile: (415) 291-6300

23 Paul R. Morico (pro hac vice)
24 paul.morico@bakerbotts.com
25 Elizabeth D. Flannery (pro hac vice)
26 liz.flannery@bakerbotts.com
27 One Shell Plaza
28 901 Louisiana Street
Houston, Texas 77002
Telephone: (713) 229-1234
Facsimile: (713) 229-1522

Counsel for Plaintiff
The Regents of the University of California

**WILMER CUTLER PICKERING
HALE AND DORR LLP**

/s/ Robert J. Gunther, Jr.
Robert J. Gunther, Jr. (NY SBN: 1967652)
robert.gunther@wilmerhale.com
Omar Khan (pro hac vice)
omar.khan@wilmerhale.com
7 World Trade Center
250 Greenwich Street
New York, NY 10007
Telephone: (212) 230-8800
Facsimile: (212) 230-8888

Robert M. Galvin (State Bar No. 171508)
robert.galvin@wilmerhale.com
950 Page Mill Road
Palo Alto, CA 94304
Telephone: 650-858-6000
Facsimile: 650-858-6100

Sarah B. Petty (pro hac vice)
sarah.petty@wilmerhale.com
60 State Street
Boston, MA 02109
Telephone: 617-526-6000
Facsimile: 617-526-5000

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Nora Q.E. Passamaneck (pro hac vice)
nora.passamaneck@wilmerhale.com
1225 17th Street, Suite 2600
Denver, CO 80202
Telephone: 720-274-3135
Facsimile: 720-274-3133

Counsel for Defendants
Roger Jinteh Arrigo Chen and
Genia Technologies, Inc.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTORNEY ATTESTATION

I, Stuart C. Plunkett, am the ECF User whose ID and password are being used to file this Stipulation. In compliance with N.D. Cal. Civil L.R. 5-1(i)(3), I hereby attest that the concurrence in the filing of the document has been obtained from each of the other signatories.

April 2, 2018

By: /s/ Stuart C. Plunkett
 Stuart C. Plunkett

CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2018, I electronically filed the above document with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered counsel.

April 2, 2018

By: /s/ Stuart C. Plunkett
 Stuart C. Plunkett

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[PROPOSED] ORDER

IT IS SO ORDERED that the foregoing Joint Stipulation is approved.

Pursuant to Federal Rule of Civil Procedure 16, the following modified deadlines are hereby ordered, replacing the previously-ordered dates for these deadlines:

<u>DISPOSITIVE MOTIONS:</u>	Last day to be heard <u>11/8/2018 at 1:30p.m.</u>
<u>NON-EXPERT DISCOVERY CUT-OFF:</u>	<u>7/2/2018</u>
<u>EXPERT REPORTS:</u>	Opening reports by <u>8/16/2018</u> Rebuttal Reports by <u>9/6/2018</u>
<u>EXPERT DISCOVERY CUT-OFF:</u>	<u>9/27/2018</u>
<u>FURTHER STATUS CONFERENCE:</u>	<u>5/24/2018</u>

Dated: 4/3/2018

