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13 Attorneys for Defendant Ching Feng Home
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15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA

17 HUNTER DOUGLAS INC., et al.,
 18 Plaintiffs,
 19 vs.
 20 CHING FENG HOME FASHIONS CO., LTD.,
 21 Defendant.
 22

Case No. 3:17-cv-01069-RS

**JOINT STIPULATION AND [~~PROPOSED~~]
 ORDER TO CONTINUE CLAIM
 CONSTRUCTION HEARING AND
 ASSOCIATED DATES**

**JOINT STIPULATION AND [PROPOSED] ORDER TO CONTINUE CLAIM
 CONSTRUCTION HEARING AND ASSOCIATED DATES 3:17-CV-01069-RS**

1 WHEREAS, this Court’s Case Management Scheduling Order, dated May 25, 2017 set the
2 *Markman* hearing and technology tutorial for December 12, 2017 (Dkt. 64.);

3 WHEREAS, due to a calendaring error, counsel for Defendant Ching Feng Home Fashions
4 Co., Ltd. (“Defendant”) recently became aware of a hearing in another matter that is also scheduled
5 for December 12, 2017;

6 WHEREAS, counsel for Defendant first attempted to obtain an agreement from opposing
7 counsel in the other matter to continue the hearing date, but opposing counsel refused;

8 WHEREAS, after being unable to move the hearing in the other matter so as not to disturb
9 the calendar in this case, counsel for Defendant contacted counsel for Plaintiffs Hunter Douglas,
10 Inc., and Andrew J. Toti Testamentary Trust (“Plaintiffs”) to request an agreement to continue the
11 *Markman* hearing date;

12 WHEREAS, Plaintiffs’ counsel agreed to a continuance of the *Markman* hearing and
13 suggested continuing the remaining dates related to claim construction;

14 WHEREAS, Defense counsel agreed to continue the remaining dates as well;

15 WHEREAS, on August 31, 2017, the clerk of this Court advised Defense counsel that the
16 Court’s calendar on January 12, 2018 was available for the setting of the continued *Markman*
17 hearing;

18 WHEREAS, the requested continuance will only effect the schedule for the case as described
19 below and will not have any other effect on the schedule for the case;

20 WHEREAS, the previous time modifications entered in this case are as follows:

- 21 1. the Court granted Plaintiff’s unopposed motion for a 14-day extension to respond to
22 Defendant’s Motion to Dismiss (Dkt. No. 30);
- 23 2. the Court granted Plaintiffs’ second unopposed motion for a 14-day extension to
24 respond to Defendant’s Motion to Dismiss (Dkt. No. 33);
- 25 3. the Court granted the parties’ joint stipulation to enlarge time for Defendant to
26 respond to Plaintiffs’ first amended complaint, extending Defendant’s deadline by 6
27 days (Dkt. No. 74); and

1 4. the Court granted the parties' joint stipulation to enlarge time for Defendant to serve
2 invalidity contentions, extending Defendant's deadline by 21 days (Dkt. No. 78).

3 THEREFORE, pursuant to Civil L. R. 6-1 and 6-2 of the Northern District of California,
4 Plaintiffs and Defendant hereby stipulate, and respectfully request that, the dates related to claim
5 construction and the *Markman* hearing be continued as follows:

	Current Date	New Date	
6			
7	Exchange Preliminary Constructions	September 11, 2017	September 25, 2017
8	Joint CC Statement	September 29, 2017	October 13, 2017
9	End of CC Discovery	October 23, 2017	November 6, 2017
10	Opening CC Brief	November 6, 2017	November 20, 2017
11	Responsive CC Brief	November 21, 2017	December 5, 2017
12	Reply CC Brief	November 28, 2017	December 12, 2017
13	<i>Markman</i> Hearing	December 12, 2017	January 12, 2018

14 IT IS SO STIPULATED

15 Respectfully submitted,

16 K&L GATES LLP

17 Dated: September 1, 2017

18 By: /s/ Peter E. Soskin

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*Attorneys for Defendant Ching Feng Home
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1 DATED: September 1, 2017

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3 By: /s/ Frederick L. Whitmer

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26 Testamentary Trust

27 **PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED.**

28 Dated: 9/1/17



Hon. Richard Seeborg

UNITED STATES DISTRICT JUDGE