

1 Jeffrey E. Ostrow (SBN 213118)
jostrow@stblaw.com
2 Michael H. Joshi (SBN 302184)
michael.joshi@stblaw.com
3 SIMPSON THACHER & BARTLETT LLP
2475 Hanover Street
4 Palo Alto, California 94304
Telephone: (650) 251-5000
5 Facsimile: (650) 251-5002

6 Noah M. Leibowitz (*Pro Hac Vice*)
nleibowitz@stblaw.com
7 SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
8 New York, New York 10017
Telephone: (212) 455-2000
9 Facsimile: (212) 455-2502

10 *Attorneys for Plaintiff*

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 INTRI-PLEX TECHNOLOGIES, INC.,

15 Plaintiff,

16 v.

17 NHK INTERNATIONAL CORPORATION;
18 NHK SPRING CO., LTD.; OGAKI SEIKO CO.,
19 LTD.; AND SEIKO HIGH TEC CORP.

20 Defendants.

Case No. 3:17-cv-01097-EMC

21 **STIPULATION AND [PROPOSED]**
22 **ORDER AMENDING MOTION FOR**
23 **SUMMARY JUDGMENT BRIEFING**
24 **AND HEARING SCHEDULE**

WHEREAS, Plaintiff Intri-Plex Technologies, Inc. ("IPT") and Defendants NHK International Corporation, NHK Spring Co., LTD., Ogaki Seiko Co., LTD., and Seiko High Tec Corp. (collectively, "Defendants") filed a Motion for Summary Judgment Of Invalidity Based on Indefiniteness Under 35 U.S.C. § 112 on April 10, 2018 (D.I. 90);

WHEREAS, IPT's response to Defendants' motion for summary judgment is currently due on April 24, 2018;

WHEREAS, Defendants' reply in support of their motion for summary judgment is currently due on May 1, 2018;

WHEREAS, the motion hearing has been noticed for May 24, 2018 at 1:30 pm;

WHEREAS, pursuant to L.R. 6-2(a)(1), the parties state that they have agreed to an extension of the time for the opposition and reply briefing to allow time for depositions of declarants who provide declarations in support of the motion or opposition, and correspondingly have agreed to a later date for the motion hearing, at the Court's convenience;

WHEREAS, IPT retains all rights to argue that an issue of fact precludes summary judgment;

WHEREAS, pursuant to L.R. 6-2(a)(2), the parties state that IPT previously filed an administrative motion regarding time to file a consent or declination to proceed before a magistrate judge (D.I. 17) and the parties previously extended by stipulation (1) the time for Defendants to answer or otherwise move in response to the complaint (D.I. 19) and (2) the time for the Claim Construction briefing (D.I. 68), but that no other time modification has been made in the case;

WHEREAS, pursuant to L.R. 6-2(a)(3), the parties state that they do not believe the requested time modification will have an effect on the remaining schedule for the case;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that the Motion for Summary Judgment (D.I. 90) briefing and hearing schedule is amended as follows:

Event	Date Set Forth in D.I. 90	New Date
Response due	April 24, 2018	May 8, 2018
Reply due	May 1, 2018	May 17, 2018

Motion hearing	May 24, 2018 at 1:30 pm	May 31, 2018 at 1:30 pm, or at the Court's convenience
----------------	-------------------------	--

DATED: April 20, 2018

Respectfully submitted,

SIMPSON THACHER & BARTLETT LLP

By: /s/ Jeffrey E. Ostrow

Jeffrey E. Ostrow (SBN 213118)
jostrow@stblaw.com
Michael H. Joshi (SBN 302184)
michael.joshi@stblaw.com
2475 Hanover Street
Palo Alto, California 94304
Telephone: (650) 251-5000
Facsimile: (650) 251-5002

Noah M. Leibowitz (*Pro Hac Vice*)
nleibowitz@stblaw.com
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, New York 10017
Telephone: (212) 455-2000
Facsimile: (212) 455-2502

Attorneys for Plaintiff Intri-Plex Technologies, Inc.

DATED: April 20, 2018

SINGULARITY LLP

By: /s/ Frank L. Bernstein

Frank L. Bernstein (State Bar No. 189504)
555 Twin Dolphin Drive, Suite 610
Redwood Shores, CA 94065
Telephone: (650) 720-4650
Facsimile: (650) 720-4662
fbernstein@ipsingularity.com

William H. Mandir (*Pro Hac Vice*)
John F. Rabena (*Pro Hac Vice*)
Yoshinari Kishimoto (*Pro Hac Vice*)
Fadi Kiblawi (*Pro Hac Vice*)
Andrew Ritter (*Pro Hac Vice*)
Arun Shome (*Pro Hac Vice*)
SUGHRUE MION, PLLC
2100 Pennsylvania Ave. NW
Washington, DC 20037
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Attorneys for Defendants

- 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

Jeffrey E. Ostrow

1 **[~~PROPOSED~~] ORDER**

2 Pursuant to the foregoing stipulation, IT IS SO ORDERED that the briefing and hearing
3 schedule on the Defendants' Motion for Summary Judgment (D.I. 90) is amended as follows:

4

Event	Date Set Forth in D.I. 90	New Date
Response due	April 24, 2018	May 8, 2018
Reply due	May 1, 2018	May 17, 2018
Motion hearing	May 24, 2018 at 1:30 pm	May 31, 2018 at 1:30 pm, or at the Court's convenience

8

9
10 DATED: 4/23/2018

