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

19 EOLAS TECHNOLOGIES  
INCORPORATED,

20 Plaintiff,

21 v.

22 GOOGLE INC.,

23 Defendant.  
24

Case No. 3:17-cv-01138-JST

**JOINT STIPULATION AND  
~~PROPOSED~~ ORDER EXTENDING  
DEADLINE TO MEET AND CONFER  
AND FILE MOTION TO AMEND TO  
OCTOBER 9, 2017**

1 Pursuant to Civil Local Rules 6-1, 6-2 and 7-12, Plaintiff Eolas Technologies Incorporated  
2 (“Eolas”) and Defendant Google Inc. (“Google” or “Defendant”), by and through their respective  
3 attorneys, hereby submit the following Joint Stipulation, as follows:

4 WHEREAS, on March 31, 2016, Eolas served its Patent Rule 3-1 and Patent Rule 3-2  
5 infringement contentions while this case was pending in the Eastern District of Texas;

6 WHEREAS, on February 24, 2017, this case was transferred from the Eastern District of  
7 Texas to this District;

8 WHEREAS, on August 8, 2017, the Court entered an Order Regarding August 2, 2017  
9 Case Management Conference (Dkt. 92) directing Eolas and Google to meet and confer and file a  
10 joint letter brief regarding their respective positions on Eolas’s Infringement Contentions (“the  
11 Joint Letter Brief”) by August 25, 2017;

12 WHEREAS, on August 25, 2017, the parties requested additional time (Dkt. 96) to  
13 exchange drafts of their positions for the Joint Letter Brief and finalize them for the Court’s  
14 consideration;

15 WHEREAS, on August 28, 2017, the Court granted the parties additional time (Dkt. 97) to  
16 exchange drafts of their positions for the Joint Letter Brief and finalize them for the Court’s  
17 consideration;

18 WHEREAS, on August 30, 2017, the parties filed their Joint Letter Brief (Dkt. 98);

19 WHEREAS, on September 14, 2017, the Court entered an Order re Joint Letter Brief (Dkt.  
20 102), calling for “Eolas to file a motion to amend its infringement contentions by September 25,  
21 2017 at 5:00 p.m.,” stating that “[p]rior to that date, the parties should meet and confer regarding  
22 the requested relief,” and concluding that “[t]he parties should also identify any other instances in  
23 which transfer to this district and the concurrent change in local rules require or suggest  
24 adjustment by the Court, so that such adjustment does not occur piecemeal”;

25 WHEREAS, on September 14, 2017, the parties filed a stipulation for a short extension to  
26 the other upcoming case deadlines to provide time for further meet and confer on Eolas’s proposal  
27 this case be stayed pending resolution of the pending Motion for Order to Show Cause Regarding  
28 McKool Smith’s Violation of Prosecution Bar (Dkt. 103),

1           WHEREAS, on September 18, 2017, Eolas requested Google’s agreement to extend the  
2 deadline to file a motion to amend its infringement contentions, consistent with the stipulated  
3 extension of other deadlines;

4           WHEREAS, on September 20, 2017, the Court granted the stipulation extending the other  
5 upcoming case deadlines (Dkt. 104);

6           WHEREAS, on September 20, 2017, Eolas provided Google with its proposed  
7 supplement;

8           WHEREAS, to allow for additional time to review, meet and confer, and narrow any issues  
9 for the Court, the parties request an additional two weeks—until October 9, 2017—to meet and  
10 confer and for Eolas to file its motion to amend, consistent with the stipulated extension of other  
11 deadlines;

12           WHEREAS, no other deadlines will be affected by extending the deadline for the parties to  
13 meet and confer and for Eolas to file its motion to amend;

14           NOW THEREFORE IT IS HEREBY STIPULATED AND THE PARTIES JOINTLY  
15 REQUEST that the meet and confer and motion to amend deadline be extended from September  
16 25, 2017, to October 9, 2017.

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1 DATED: September 21, 2017

Respectfully submitted,

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By /s/ Kevin Burgess

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**ATTESTATION**

I, Kevin Burgess, am the ECF user whose userid and password authorized the filing of this document. Under Civil L.R. 5-1(i)(3), I attest that all signatories to this document have concurred in this filing.

DATED: September 21,  
2017

/s/ Kevin Burgess  
Kevin Burgess

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**PROPOSED ORDER**

Plaintiff Eolas Technologies Incorporated and Defendant Google Inc. (“Google”) have stipulated to move the deadline to meet and confer about Eolas’s supplemental infringement contentions and for Eolas to file its motion to amend from September 25, 2017, to October 9, 2017.

The parties’ joint stipulation is GRANTED. The deadline to meet and confer about Eolas’s supplemental infringement contentions and for Eolas to file its motion to amend, currently set for September 25, 2017, is hereby moved to for October 9, 2017.

PURSUANT TO THE PARTIES’ STIPULATION, IT IS SO ORDERED.

DATED: September 21, 2017



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Honorable Jon S. Tigar  
United States District Judge