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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

[24]7.ai, INC. AND 24/7 CUSTOMER
 INTERNATIONAL HOLDINGS, LTD.,

Plaintiffs,

v.

LIVEPERSON, INC.,

Defendant.

Case No. 3:15-CV-02897-JST (KAW) (lead)
 Case No. 3:15-CV-05585-JST (KAW)

**STIPULATION AND ~~PROPOSED~~
 ORDER CHANGING DATE FOR
 CLOSE OF EXPERT DISCOVERY AND
 TRADE SECRET SELECTION**

LIVEPERSON, INC.,

Plaintiff,

v.

[24]7.ai, INC.

Defendant.

Case No. 3:17-CV-01268-JST

**STIPULATION AND ~~PROPOSED~~
 ORDER CHANGING DATE FOR
 CLOSE OF EXPERT DISCOVERY AND
 TRADE SECRET SELECTION**

STIPULATION AND ~~PROPOSED~~
 ORDER CHANGING DATE FOR CLOSE OF
 EXPERT DISCOVERY AND TS SELECTION

3:15-CV-02897-JST (KAW)
 3:15-CV-05585-JST (KAW)
 3:17-CV-01268-JST

1 **STIPULATION AND ~~PROPOSED~~ ORDER**

2 Pursuant to Local Rules 6-1, 6-2, and 7-12, Plaintiff LivePerson, Inc. (“LivePerson”) and
3 Defendants [24]7.ai, Inc. and 24/7 Customer International Holdings (“collectively, “[24]7”)
4 (together, the “Parties”), subject to the Court’s approval and Order, stipulate to extend the closing
5 date for expert discovery currently set for June 6, 2018 in Case Nos. 3:17-cv-01268 (“the Trade
6 Secret Matter”), and 3:15-cv-02897 and 3:15-cv-05585 (“the Patent Matters”, and collectively
7 with the Trade Secret Matter, “the Related Matters”) to June 14, 2018, in order to allow for the
8 setting of certain expert depositions after June 6 in order to accommodate schedules. *See De*
9 *Vries Decl.* ¶ 3. Further, the Parties, subject to the Court’s approval and Order, stipulate to
10 correspondingly extend the deadline for LivePerson to select trade secrets, currently set for June
11 8, 2018 in the Related Matters, to June 15, 2018 at 5:00 PM, in order to allow for that selection to
12 occur after the close of expert discovery. These changes to the schedule will not affect any other
13 deadlines in this action. *See id.* at ¶ 5.

14 This Court issued a Scheduling Order on July 26, 2017, and that order scheduled June 6,
15 2018 as the closing date for expert discovery. (Dkt. 157). This deadline has not been changed
16 since. *See De Vries Decl.* ¶ 4. More recently, this Court issued an Order Granting Case and Trial
17 Management Schedule on April 23, 2018, and it scheduled June 8, 2018 as the deadline for
18 LivePerson to identify up to 15 trade secrets for the first trade secret trial. (Dkt. 192). This
19 deadline also has not been changed since. *See id.* In order to accommodate the experts’
20 schedules, however, the Parties will need until June 14, 2018 to take the experts’ depositions.
21 Further, the selection of trade secrets should occur after the close of expert discovery. Thus,
22 LivePerson raised these scheduling issues and this stipulation with counsel for [24]7, who
23 indicated they would so stipulate. *See id.* at ¶ 6.

24 Pursuant to the stipulation, the Parties request that: 1) the closing date for expert
25 discovery be moved from June 6, 2018 to June 14, 2018; and 2) the deadline for LivePerson to
26 select trade secrets for the first trade secret trial be moved from June 8, 2018 to June 15, 2018 at
27 5:00 PM.

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Respectfully submitted,

Dated: June 1, 2018

KIRKLAND & ELLIS LLP

By: /s/ Michael W. De Vries
Michael W. De Vries

Attorneys for
LIVEPERSON, INC.

Dated: June 1, 2018

O'MELVENY & MYERS LLP

By: /s/ Darin Snyder
Darin Snyder

Attorneys for
[24]7.AI, INC. AND 24/7 CUSTOMER
INTERNATIONAL HOLDINGS, LTD.

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ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from Darin Snyder.

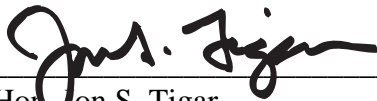
By: /s/ Michael W. De Vries
Michael W. De Vries

Attorneys for
LIVEPERSON, INC.

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 4, 2018



Hon. Jon S. Tigar
United States District Judge