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12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT CALIFORNIA
 14 SAN FRANCISCO DIVISION

15 X.COMMERCE, INC. D/B/A MAGENTO,)
 16 INC.,)

17 Plaintiff,)

18 vs.)

19 EXPRESS MOBILE, INC.,)
 20)

21 Defendant.)

Case No.: 3:17-cv-02605-RS

**STIPULATION AND ~~[PROPOSED]~~
 ORDER MODIFYING CASE
 MANAGEMENT SCHEDULING ORDER**

22
 23 IT IS HEREBY STIPULATED by and between Plaintiff X.Commerce, Inc. d/b/a/ Magento,
 24 Inc. (“Magento”) and Defendant Express Mobile, Inc. (“Express Mobile”) as follows:

25 WHEREAS, the Court entered a Case Management Scheduling Order on October 26, 2017
 26 (Dkt. 44);

27 WHEREAS, the parties have agreed that it would be mutually beneficial to make some
 28 minor modifications to the case schedule in light of the holidays, including (a) extending Express

1 Mobile's deadline to respond to Magento's first set of discovery requests to January 4, 2018; (b)
 2 extending Magento's deadline to serve its Patent L.R. 3-3 and 3-4 Invalidation Contentions and
 3 Document Production; and (c) extending the deadlines under Patent L.R. 4-1 and 4-2 by one week;

4 WHEREAS, there have been no prior schedule modifications in this case and the requested
 5 extensions will not affect any other scheduled dates or events in this action;

6 NOW, THEREFORE, pursuant to Civil Local Rule 6-2, the parties hereby stipulate to the
 7 following modifications to the Case Management Scheduling Order:

Event	Current Date	New Date
Magenta serves Invalidation Contentions and Document Production (LPR 3-3, 3-4)	1/05/2018	1/18/2018
Exchange of proposed terms for claim construction (LPR 4-1)	1/19/2018	1/26/2018
Exchange of proposed claim constructions and extrinsic evidence (LPR 4-2)	2/09/2018	2/16/2018
Express Mobile serves Damages Contentions (LPR 3-8)	2/26/2018	No change
Joint Claim Construction and Prehearing Statement (LPR 4-3)	3/06/2018	No change
Magenta serves Responsive Damages Contentions (LPR 3-9)	3/28/2018	No change
Completion of claim construction discovery (LPR 4-4)	4/05/2018	No change
Express Mobile files Opening Claim Construction Brief (LPR 4-5(a))	4/20/2018	No change
Magenta files Responsive Claim Construction Brief (LPR 4-5(b))	5/04/2018	No change
Express Mobile files Reply Claim Construction Brief (LPR 4-5(c))	5/11/2018	No change

1 Parties will exchange tutorial materials and 2 meet and confer regarding coordination of 3 tutorial presentation.	5/16/2018	No change
4 Claim Construction hearing (beginning with 5 one hour tutorial)	5/23/2018 at 9:30 am	No change

6 IT IS SO STIPULATED.

7 Respectfully submitted,

8 Dated: December 13, 2017

By: /s/ Irene Yang
Irene Yang

10 Attorneys for Plaintiff MAGENTO, INC.

11 Dated: December 13, 2017

By: /s/ Robert Dean Kiddie, Jr.
Robert Dean Kiddie, Jr.

13 Attorneys for Defendant EXPRESS MOBILE, INC.

17 **ATTESTATION**

18 Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in
19 the filing of this document has been obtained from the other signatory above.

21 Dated: December 13, 2017

By: /s/ Irene Yang
Irene Yang

23 Attorneys for Plaintiff MAGENTO, INC.

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 12/14/17



Honorable Richard Seeborg
United States District Judge