

1 Michael J. Bettinger (SBN 122196)
 mbettinger@sidley.com
 2 Irene Yang (SBN 245464)
 irene.yang@sidley.com
 3 Sue Wang (SBN 286247)
 sue.wang@sidley.com
 4 SIDLEY AUSTIN LLP
 555 California Street, Suite 2000
 5 San Francisco, California 94104-1715
 Telephone: (415) 772-1200
 6 Facsimile: (415) 772-7400

7 Attorneys for Magento, Inc.

Seth Wiener
 sethwiener@yahoo.com
 LAW OFFICES OF SETH WIENER
 609 Karina Court
 San Ramon, CA 94582
 Telephone: (925) 487-5607

Timothy Devlin (*pro hac vice*)
 tdevlin@devlinlawfirm.com
 Robert Dean Kiddie, Jr. (*pro hac vice*)
 rkiddie@devlinlawfirm.com
 DEVLIN LAW FIRM LLC
 1306 N. Broom St., 1st Floor
 Wilmington, DE 19806
 Telephone: (302) 449-9010
 Facsimile: (302) 353-4251

Attorneys for Express Mobile, Inc.

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

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

Plaintiff,

vs.

19 EXPRESS MOBILE, INC.,

Defendant.

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

)
)
) **STIPULATION AND ~~PROPOSED~~ ORDER**
) **MODIFYING CASE MANAGEMENT**
) **SCHEDULING ORDER**

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

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

5 WHEREAS, the parties have agreed that it would be mutually beneficial to make some
6 minor modifications to the case schedule to accommodate the schedule of Express Mobile’s counsel,
7 including (a) extending Express Mobile’s deadline to respond to Magento’s first set of discovery
8 requests to January 11, 2018; (b) extending Magento’s deadline to serve its Patent L.R. 3-3 and 3-4
9 Invalidation Contentions and Document Production by one week to January 25, 2018; and (c)
10 extending the deadlines under Patent L.R. 4-1 by one week to February 2, 2018;

11 WHEREAS, there has been only a single prior schedule modification in this case and the
12 requested extensions will not affect any other scheduled dates or events in this action;

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

15

Description	Current Date	New Date
Magento serves Invalidation Contentions and Document Production (LPR 3-3, 3-4)	1/18/2018	1/25/2018
Exchange of proposed terms for claim construction (LPR 4-1)	1/26/2018	2/02/2018
Exchange of proposed claim constructions and extrinsic evidence (LPR 4-2)	2/16/2018	No change
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
Magento serves Responsive Damages Contentions (LPR 3-9)	3/28/2018	No change

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1	Completion of claim construction discovery (LPR 4-4)	4/05/2018	No change
2	Express Mobile files Opening Claim Construction Brief (LPR 4-5(a))	4/20/2018	No change
3	Magento files Responsive Claim Construction Brief (LPR 4-5(b))	5/04/2018	No change
4	Express Mobile files Reply Claim Construction Brief (LPR 4-5(c))	5/11/2018	No change
5	Parties will exchange tutorial materials and meet and confer regarding coordination of tutorial presentation	5/16/2018	No change
6	Claim Construction hearing	5/23/2018 @ 9:30 am	No change

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13 IT IS SO STIPULATED.

14
15 Dated: January 4, 2018

Respectfully Submitted,

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

17 Timothy Devlin (*pro hac vice*)
18 tdevlin@devlinlawfirm.com
19 Robert Dean Kiddie, Jr. (*pro hac vice*)
20 rkiddie@devlinlawfirm.com
21 DEVLIN LAW FIRM LLC
22 1306 N. Broom St., 1st Floor
23 Wilmington, DE 19806
24 Telephone: (302) 449-9010
25 Facsimile: (302) 353-4251

26 Seth Wiener
27 sethwiener@yahoo.com
28 LAW OFFICES OF SETH WIENER
609 Karina Court
San Ramon, CA 94582
Telephone: (925) 487-5607

Attorneys for Defendant Express Mobile, Inc.

1 Dated: January 4, 2018

By: /s/ Irene Yang

2
3 Michael J. Bettinger (SBN 122196)
mbettinger@sidley.com
Irene Yang (SBN 245464)
4 irene.yang@sidley.com
Sue Wang (SBN 286247)
5 sue.wang@sidley.com
SIDLEY AUSTIN LLP
6 555 California Street, Suite 2000
San Francisco, California 94104-1715
7 Telephone: (415) 772-1200
Facsimile: (415) 772-7400

8
9 Attorneys for Plaintiff X. Commerce, Inc.,
d/b/a Magento, Inc.

10
11 **SIGNATURE ATTESTATION**

12 Pursuant to Civil Local Rule 5-1(i)(3), I hereby certify that concurrence in the filing
13 of this document has been obtained from each of the other Signatories shown above.

14 Dated: January 4, 2018

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

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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4 Dated: 1/5/18



5 The Honorable Richard Seeborg
6 UNITED STATES DISTRICT JUDGE
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