

1 **THE BUSINESS LITIGATION**
 2 **GROUP, P.C.**
 3 MARC N. BERNSTEIN (SBN 145837)
 4 mbernstein@blgrp.com
 5 WILL B. FITTON (SBN 182818)
 6 wfitton@blgrp.com
 7 150 Spear Street, Suite 800
 8 San Francisco, CA 94105
 9 Telephone: 415.765.6633
 10 Facsimile: 415.283.4804

11 Attorneys for Plaintiff UAB “Planner5D”
 12 d/b/a Planner 5D

13 **KIRKLAND & ELLIS LLP**
 14 DALE M. CENDALI (Cal. Bar No. 1969070)
 15 dale.cendali@kirkland.com
 16 JOHANNA SCHMITT (pro hac vice)
 17 johanna.schmitt@kirkland.com
 18 ABBEY GAUGER (pro hac vice)
 19 abbey.quigley@kirkland.com
 20 AARON SCHROEDER (pro hac vice)
 21 aaron.schroeder@kirkland.com
 22 601 Lexington Avenue
 23 New York, NY 10022
 24 Phone: (212) 446-4800

25 Attorneys for Defendants Meta Platforms, Inc.
 26 and Facebook Technologies, LLC

27 UNITED STATES DISTRICT COURT
 28 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

UAB “PLANNER5D” dba PLANNER 5D,
 Plaintiff,
 v.

META PLATFORMS, INC., FACEBOOK
 TECHNOLOGIES, LLC, THE TRUSTEES
 OF PRINCETON UNIVERSITY, DOES 1-
 200, ABC CORPORATIONS 1-20, and XYZ
 UNIVERSITIES 1-20.

Defendants.

JENNER & BLOCK LLP
 DAVID R. SINGER (Cal. Bar No. 204699)
 dsinger@jenner.com
 633 West 5th Street, Suite 3600
 Los Angeles, CA 90071
 Phone: (213) 239-5100

JENNER & BLOCK LLP
 ANDREW H. BART (pro hac vice)
 abart@jenner.com
 JACOB L. TRACER (pro hac vice)
 jtracer@jenner.com
 CAYMAN C. MITCHELL (pro hac vice)
 cmitchell@jenner.com
 1155 Avenue of the Americas
 New York, NY 10036
 Phone: (212) 891-1600

Attorneys for Defendant The Trustees of
 Princeton University

Case Nos. 3:19-cv-03132-WHO
3:20-cv-02198-WHO
3:20-cv-08261-WHO

The Honorable William H. Orrick

STIPULATION AND ORDER TO
ADJUST CASE SCHEDULE

1 Pursuant to Civil L.R. 6-1, 6-2, and 7-12 it is hereby stipulated by and between Plaintiff
2 UAB “Planner 5D” d/b/a Planner 5D (“Plaintiff”), Defendants Meta Platforms, Inc. and
3 Facebook Technologies, LLC and Defendant The Trustees of Princeton University
4 (collectively, “Defendants”), through their respective attorneys, that:

5 WHEREAS, on June 22, 2022, the Court granted the parties’ Stipulation and Proposed
6 Order re Bifurcation and Case Schedule (Dkt. No. 182);

7 WHEREAS, on August 24, 2022, the Court granted the parties’ Stipulation and
8 Proposed Order to Adjust Case Schedule, extending the deadline slightly to complete fact
9 depositions in light of scheduling conflicts (Dkt. No. 206);

10 WHEREAS, between August 30, 2022 and September 23, 2022, Plaintiff produced
11 additional documents and supplemented written discovery responses, and indicated the
12 documents and information were discovered during the course of Phase 1 fact witness
13 deposition preparations and depositions, and the parties agreed to adjourn the remaining Phase
14 1 fact depositions to provide time for Defendants to analyze the materials;

15 WHEREAS, during Phase 1 fact depositions, disputes arose as to Plaintiff’s 30(b)(6)
16 deposition testimony, including whether Plaintiff’s 30(b)(6) designee was adequately prepared
17 on two topics;

18 WHEREAS, Plaintiff agreed to produce a witness for a supplemental deposition on
19 those two topics, but “requested additional guidance from Defendants” regarding the two topics
20 on which Plaintiff’s 30(b)(6) witness must prepare to testify (Dkt. No. 208);

21 WHEREAS, in an Order dated September 12, 2022, which was docketed on September
22 15, 2022, Magistrate Judge Kim ruled that “Defendants are not required to provide further
23 guidance regarding their topics, as the notice adequately describes the areas” of examination
24 (Dkt. No. 209);

25 WHEREAS, in light of Plaintiff’s supplemental document productions and discovery
26 responses, Defendants served an Amended Notice of 30(b)(6) Deposition on Plaintiff with one
27 additional topic;

28

1 WHEREAS, in light of Plaintiff's supplemental document productions and discovery
2 responses, Defendants will proffer an additional expert witness to opine about the nature of
3 Planner 5D's asserted copyrighted works;

4 WHEREAS, the parties have worked in good faith and successfully resolved a number
5 of subsequent discovery disputes arising from the aforementioned events, including about the
6 scope and timing of further testimony by Plaintiff's Rule 30(b)(6) designees and the scope of
7 Phase 1 expert discovery, and agree to extend certain deadlines relevant to Phase 1 discovery;

8 NOW, THEREFORE IT IS STIPULATED AND AGREED THAT, subject to the
9 approval of the Court, the following deadlines shall apply to Phase 1 discovery:

<u>Event</u>	<u>Current Date</u>	<u>Proposed Date</u>
The parties shall complete Phase 1 fact witness depositions.	August 31, 2022	November 18, 2022
Service of movants' expert reports, if any, in support of Phase 1 summary judgment motion.	September 9, 2022	November 23, 2022 (Trade Secret) December 9, 2022 (Copyright)
Service of rebuttal expert reports, if any.	October 7, 2022	December 23, 2022 (Trade Secret) January 6, 2023 (Copyright)
The parties shall complete expert depositions, if any.	October 28, 2022	January 27, 2023
Summary judgment motions due regarding Phase 1 issues (maximum of one motion per side).	November 18, 2022	February 17, 2023

23 IT IS FURTHER STIPULATED AND AGREED THAT all matters set forth in the
24 parties' Stipulation and Proposed Order re Bifurcation and Case Schedule (Dkt. No. 182), which
25 are not expressly addressed by this Stipulation, remain in full force and effect.

27 IT IS SO STIPULATED, through Counsel of Record.

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DATED: November 14, 2022

THE BUSINESS LITIGATION GROUP, P.C.

/s/ Marc N. Bernstein
Marc N. Bernstein

Attorneys for Plaintiff
UAB "PLANNER 5D"

DATED: November 14, 2022

JENNER & BLOCK LLP

/s/ Andrew H. Bart
Andrew H. Bart

Attorneys for Defendant
THE TRUSTEE OF PRINCETON
UNIVERSITY

DATED: November 14, 2022

KIRKLAND & ELLIS LLP

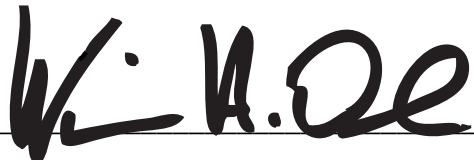
/s/ Dale M. Cendali
Dale M. Cendali

Attorneys for Defendants
META PLATFORMS, INC. and FACEBOOK
TECHNOLOGIES, LLC

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IT IS SO ORDERED.

DATED: November 16, 2022



HON. WILLIAM H. ORRICK
United States District Judge

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ATTESTATION PURSUANT TO CIVL L.R. 5-1(i)(3)

I, Andrew H. Bart, am the ECF user whose ID and password are being used to file this Stipulation and [Proposed] Order to Adjust the Case Schedule. In compliance with Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from all signatories.

DATED: November 14, 2022

By: /s/ Andrew H. Bart
Andrew H. Bart