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22 **Attorneys for Petitioner EDAG Engineering GmbH,**
23 **a corporation organized and existing under the laws**
24 **of the Republic of Germany ("EDAG")**

25 **UNITED STATES DISTRICT COURT**

26 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

27 EDAG Engineering GmbH,
28
29 Petitioner,
30
31 v.
32 BYTON North America Corporation,
33
34 Respondent

35 Case No. 3:21-cv-04736-EMC
36 **ORDER TO CONFIRM STIPULATION**
37 **TO RESET DATES FOR HEARING**
38 **MOTION TO AMEND (DOC. # 71 AND #**
39 **72) PURSUANT TO LOCAL RULE 7-12**
40 **AND RESETTING DATES FOR**
41 **OPPOSITION AND REPLY THEREOF**

42 Judge: Honorable Edward M. Chen [Video-
43 ZOOM hearing]

44 Petition Filed: June 23, 2021

45 **ORDER TO CONFIRM STIPULATION TO RESET DATES FOR HEARING MOTION TO**
46 **AMEND (DOC. # 71 AND # 72) PURSUANT TO LOCAL RULE 7-12 AND RESETTING**
47 **DATES FOR OPPOSITION AND REPLY THEREOF**

1 PURSUANT TO STIPULATION BY AND BETWEEN PLAINTIFF EDAG
2 ENGINEERING GMBH AND DEFENDANT BYTON NORTH AMERICA CORPORATION TO
3 RESET HEARING ON THE MOTION TO AMEND (DOC. # 71 & #72), AND RELATED
4 PENDING MOTION WHICH WERE ADVANCED TO THE HEARING DATE FOR THE
5 MOTION TO AMEND, AND GOOD CAUSE, AND THEREFORE:

6 IT IS SO ORDERED:

7 1. The current hearing date for the Motion to Amend (Doc. # 71 and #72) is set for
8 September 29, 2022, set by the court, based on Application (Local Rule 7-11) for September 29,
9 2022. (Doc. # 166)

10 2. Pursuant to Local Rule 7-11(b), the EDAG Engineering GmbH ("EDAG") and Byton
11 North America Corporation ("Byton N.A.") have stipulated to the resetting the current date of
12 September 29, 2022, and the dates of August 25, 2022 to file an Amended Motion to Amend
13 thereof, September 8, 2022 for opposition thereof, and September 15, 2022 for the reply thereof, and
14 to a new date of January 26, 2023, and the parties hereof stipulate to the following dates below:

15 A. In addition to any prior relief (Doc. # 166), to incorporate the same in its entirety, and
16 the resetting of hearing of September 29, 2022 to January 26, 2023 to allow EDAG to supplement
17 and amend the Motion to Amend with any and all new arguments, and all new evidence, i.e.
18 testimony from various pending depositions (Breitfeld and Oto among many others), and the
19 production of any and all current and new records, no matter what, and provide new arguments and
20 evidence, any records and testimony therein thereof.

21 B. "Orders in Abeyance" from previous Motions, and like orders, for the following:
22 Orders: Doc. #89 and # 169, or any other Orders held in Abeyance thereof, and that the Orders of
23 Abeyance are pending with concurrence to the pending Motion to Amend (Doc. # 71 & # 72) and
24 integrated and made a part thereof and incorporated therein of the new date of January 26, 2023.

25 C. Set the new date(s) for the hearing on January 26, 2023 with the following dates:

26 1. Date for the filing of the EDAG Amended, Supplemental and New Motion to Amend
27 (#71 and #72), and any and all new and additional arguments, and all new and additional
28 declarations, depositions, testimony, memorandum, and evidence, and the like thereof, on December
22, 2022.

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