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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

GOOGLE INC.,

Plaintiff,

vs.

NETLIST, INC.,

Defendant.

Case No: C 08-4144 SBA

**ORDER GRANTING PLAINTIFF'S  
MOTION TO SHORTEN TIME**

[Docket No. 181]

Presently before the Court is Plaintiff's Motion to Shorten Time, asking this Court for an order shortening the time on its Motion to Stay Pending Reexamination of the patent at issue in this case. Both motions were filed on August 26, 2010.

By its Motion to Shorten Time, Plaintiff seeks a September 14, 2010 hearing date (or a date soon thereafter) for its Motion to Stay. September 14, 2010 is the hearing date scheduled for the parties' pending motions for summary judgment. These motions are Defendant's Motion for Summary Judgment of Patent Infringement, Defendant's Motion for Summary Judgment on Plaintiff's Affirmative Defenses, Plaintiff's Counter-Motion for Summary Judgment, and Plaintiff's Motion for Summary Judgment of Invalidity. Defendant has filed an opposition to Plaintiff's request to shorten time.

Under Civil Local Rule 6-3, a party may seek an order shortening time if it identifies "the substantial harm or prejudice that would occur if the Court did not change the time." Civil

1 Local Rule 6-3(a)(3). Here, Plaintiff asserts that, should the Court grant its request for a stay,  
2 the parties and the Court could “avoid expending significant work in preparing for the  
3 remaining portions of this case,” including efforts directed to the pending summary judgment  
4 motions. Finding good cause shown,

5 IT IS HEREBY ORDERED THAT:

6 1. Plaintiff’s Motion to Shorten Time is GRANTED. A hearing on Plaintiff’s  
7 Motion to Stay Pending Reexamination will be held on September 21, 2010 at 1:00 p.m. The  
8 Court, in its discretion, may resolve the pending matter without argument prior or subsequent  
9 to the hearing date, pursuant to Federal Rule of Civil Procedure 78(b). The parties are advised  
10 to check the Court’s website to determine whether an appearance is necessary.

11 2. Defendant shall file any opposition to Plaintiff’s Motion to Stay Pending  
12 Reexamination by September 10, 2010. Any reply shall be filed by September 14, 2010.

13 3. Defendant’s Motion for Summary Judgment of Patent Infringement, Defendant’s  
14 Motion for Summary Judgment on Plaintiff’s Affirmative Defenses, Plaintiff’s Counter-Motion  
15 for Summary Judgment, and Plaintiff’s Motion for Summary Judgment of Invalidity shall be  
16 held in abeyance pending this Court’s adjudication of Plaintiff’s Motion to Stay Pending  
17 Reexamination.

18 4. This Order terminates Docket No. 181.

19 IT IS SO ORDERED.

20 Dated: September 3, 2010

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22 SAUNDRA BROWN ARMSTRONG  
23 United States District Judge  
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