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16 Attorneys for Plaintiff / Counterdefendant
 17 VIA TECHNOLOGIES, INC.

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA
 20 OAKLAND DIVISION

21 VIA TECHNOLOGIES, INC., a Taiwan
 22 corporation,

23 Plaintiff,

24 v.

25 SONICBLUE CLAIMS, LLC, a Delaware limited
 26 liability company; FERRY CLAIMS, LLC, a
 27 California limited liability company; and
 28 FREEFALL CLAIMS I, LLC, a California limited
 liability company,

Defendants.

CASE No. CV 09 2109 PJH

JOINT STIPULATION AND MOTION
 REGARDING PRETRIAL SCHEDULE
 AND [~~PROPOSED~~] ORDER
 REGARDING PRETRIAL SCHEDULE

1 Plaintiff VIA Technologies, Inc. (“VIA” or “Plaintiff”), and defendants SonicBlue
2 Claims, LLC (“SBC”), Ferry Claims, LLC (“Ferry”), and Freefall Claims I, LLC (“Freefall” and,
3 together with SBC and Ferry, the “Defendants” and individually, each a “Defendant”) hereby
4 stipulate and request pursuant to Local Rules 6-2, 7-11, and 7-12 as follows:

5 WHEREAS, the parties have agreed to extend the time for VIA to answer or otherwise
6 respond to SBC’s Second Amended Counterclaim from July 8, ; to July 21, 2010;

7 WHEREAS, the parties have agreed that if VIA’s response to the Second Amended
8 Counterclaim is a motion, SBC may file its Opposition to that motion by August 11, 2010, and
9 VIA may file its Reply by August 25, 2010;

10 WHEREAS, the parties have agreed to extend the time for VIA to file its Opposition to
11 SBC’s Motion For Summary Judgment (regarding VIA’s second and ninth claims for relief) and
12 VIA’s Opposition to Ferry and Freefall’s Motion for Summary Judgment from July 15, 2010 to
13 August 11, 2010, and for SBC, Ferry, and Freefall to file their Reply by August 25, 2010;

14 WHEREAS the parties have agreed to extend the hearings on SBC’s Motion For
15 Summary Judgment (regarding VIA’s second and ninth claims for relief) and Ferry and Freefall’s
16 Motion for Summary Judgment from August 4, 2010 to September 8, 2010;

17 WHEREAS the parties have agreed to a September 8, 2010 hearing date on any motion
18 filed by VIA in response to SBC’s Second Amended Counterclaim;

19 WHEREAS, the parties believe that extending the hearing date and the briefing deadlines
20 regarding SBC’s Second Amended Counterclaim and SBC’s Motion For Summary Judgment
21 (regarding VIA’s second and ninth claims for relief) requires the discovery schedule set forth in
22 the Case Management and Pretrial Order, which was entered by the Court on January 19, 2010, to
23 be modified to allow sufficient time for the parties to conduct adequate discovery;

24 WHEREAS, the parties have agreed that the Case Management and Pretrial Order should
25 be amended as follows: (a) The last day for non-expert discovery should be extended from
26 October 29, 2010 to December 28, 2010; (b) The last day for disclosure of experts should be
27 extended from August 31, 2010 to October 29, 2010; (c) The last day for expert discovery should
28 be extended from December 7, 2010 to February 7, 2011;

1 WHEREAS, the parties acknowledge that the Joint Stipulation and Order Regarding
2 Timing of Initial Disclosure and Discovery filed on January 15, 2010 is still in effect.

3 THEREFORE, the parties, by and through their respective counsel, jointly request the
4 Court to enter the following as an order of the Court:

5 The deadline for VIA to answer or otherwise respond to SBC's Second Amended
6 Counterclaim shall be July 21, 2010;

7 If VIA's response to SBC's Second Amended Counterclaim is a motion, the deadline for
8 SBC to file its Opposition to that motion shall be August 11, 2010, and the deadline for VIA to
9 file its Reply shall be August 25, 2010;

10 The deadline for VIA to file its Opposition to SBC's Motion For Summary Judgment
11 (regarding VIA's second and ninth claims for relief) and its Opposition to Ferry and Freefall's
12 Motion for Summary Judgment shall be August 11, 2010;

13 The deadline for SBC to file its Reply to VIA's Opposition to SBC's Motion For
14 Summary Judgment (regarding VIA's second and ninth claims for relief) shall be August 25,
15 2010;

16 The deadline for Ferry and Freefall to file their Reply to VIA's Opposition to Ferry and
17 Freefall's Motion for Summary Judgment shall be August 25, 2010;

18 The hearing on any motion filed by VIA in response to SBC's Second Amended
19 Counterclaim, SBC's Motion For Summary Judgment (regarding VIA's second and ninth claims
20 for relief), and Ferry and Freefall's Motion for Summary Judgment shall take place on
21 September 8, 2010 at 9:00 a.m. in Courtroom 3 of the above-entitled Court;

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1 The Case Management and Pretrial Order shall be amended as follows: the last day for
2 non-expert discovery shall be December 28, 2010; the last day for disclosure of experts shall be
3 October 29, 2010; the last day for expert discovery shall be February 7, 2011.

4
5 Dated: July 13, 2010

WILLIAM MCGRANE
MCGRANE, GREENFIELD LLP
JEFFREY T. MAKOFF
VALLE MAKOFF LLP

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7
8 By: /s/ William McGrane
 WILLIAM MCGRANE

9
10 Attorneys for Defendant
SONICBLUE CLAIMS LLC

11 Dated: July 13, 2010

DUANE M. GECK
SEVERSON & WERSON

12
13
14 By: /s/ Duane M. Geck
 DUANE M. GECK

15 Attorneys for Defendant
16 FERRY CLAIMS, LLC

17 Dated: July 13, 2010

ROBERT E. WHITE
LAW OFFICES OF ROBERT E. WHITE

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19 By: /s/ Robert E. White
 ROBERT E. WHITE

20 Attorneys for Defendant
21 FREEFALL CLAIMS I, LLC

1 I, Brian L. Levine, am the ECF user whose ID and password are being used to file this **JOINT**
2 **STIPULATION AND MOTION REGARDING PRETRIAL SCHEDULE AND**
3 **[PROPOSED] ORDER REGARDING PRETRIAL SCHEDULE.** In compliance with
4 General Order 45, X.B., I hereby attest that William McGrane, Duane M. Geck, and Robert E.
5 White have concurred in this filing.

6 Dated: July 13, 2010

MORRISON & FOERSTER LLP

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8 By: /s/ Brian L. Levine
9 Brian L. Levine
10 Attorneys for VIA Technologies, Inc.

11 **PURSUANT TO STIPULATON, IT IS SO ORDERED.**

12 Dated: July 15, 2010.

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14 The Honorable Phyllis J. Hamilton
15 United States District Court
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