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13 UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 15 OAKLAND DIVISION

16 BRILLIANT INSTRUMENTS, INC.,

Case No. C09-05517 CW (JCS)

17 Plaintiff and Counterdefendant,

**STIPULATED REQUEST TO EXTEND
 BRIEFING DEADLINES AND
 HEARING DATE FOR BRILLIANT'S
 MOTION FOR ATTORNEY FEES AND
 NON-TAXABLE COSTS, AND ORDER**

18 v.

19 GUIDETECH, INC.

20 Defendant and Counterclaimant.

21 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

22 Plaintiff and Counterdefendant Brilliant Instruments, Inc. ("Brilliant"), and
 23 Defendant and Counterclaimant GuideTech, LLC ("GuideTech"), hereby submit their Stipulated
 24 Request to Extend Briefing Deadlines and Hearing Date.

25 On September 20, 2011, Brilliant filed its Motion for Attorney Fees and Non-Taxable
 26 Costs (35 U.S.C. § 285) (Dkt. 147), and its Bill of Costs (Dkt. 145). On September 23, 2011,
 27 pursuant to the Clerk's Notice of September 21, 2011 to re-notice the hearing date for a Thursday,
 28 Brilliant re-noticed the hearing date for its Motion for Attorney Fees for Thursday, October 27,
 2011 (Dkt. 159). This hearing date was confirmed by a docket entry on September 26, 2011.



1 Under the present schedule, GuideTech's Opposition to Brilliant's Motion shall be filed by
2 October 4, 2011, and Brilliant's Reply shall be filed by October 11, 2011. GuideTech's Objection
3 to the Bill of Costs shall be filed by October 4, 2011.

4 GuideTech asked Brilliant if it was willing to extend the briefing deadlines, and reschedule
5 the hearing date for its Motion to accommodate the schedule of GuideTech's lead counsel. After
6 conferring on potential dates and consulting the Court's calendar, the parties have agreed upon a
7 new hearing date of November 17, 2011. The parties have also agreed to extend the briefing
8 deadlines to provide GuideTech with an extra two weeks to file its Opposition and Objection, and
9 to provide Brilliant with an extra week to file its Reply.

10 The Court has granted two previous time modifications in this case. First, the Court
11 granted in part an extension of claim construction briefing under the Patent Local Rules. (Dkt.
12 79.) The Court also granted the parties' joint request to move the trial date and pretrial briefing.
13 (Dkt. 136.) The present time modification would have no impact on the schedule of the case; the
14 Court has granted summary judgment of noninfringement in favor of Brilliant (Dkt. 137), and
15 entered judgment in favor of Brilliant and against GuideTech (Dkt 142).

16 Accordingly, pursuant to Local Rule 6-2, the parties stipulate to the following briefing and
17 hearing schedule, and seek an Order from the Court approving the stipulation:

18 GuideTech's Opposition shall be filed and served on October 18, 2011.

19 Brilliant's Reply shall be filed and served on November 1, 2011.

20 Brilliant's Motion for Attorney Fees and Non-Taxable Costs (35 U.S.C. § 285) shall be
21 heard by the Court on November 17, 2011.

22
23 DATED: September 27, 2011

Respectfully submitted,

24 SILICON EDGE LAW GROUP LLP

KILPATRICK TOWNSEND & STOCKTON LLP

25
26 By: /s/ Thomas W. Lathram
Thomas W. Lathram

By: /s/ Byron R. Chin
Byron R. Chin

27 Attorneys for Brilliant Instruments, Inc.

Attorneys for GuideTech LLC

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PURSUANT TO STIPULATION, IT IS SO ORDERED. **Motion will be decided on the papers.**

Dated: 9/28/2011



Claudia Wilken
United States District Judge



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ATTESTATION CLAUSE REGARDING SIGNATURES

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that I have on file permission to sign for counsel, as indicated by a “conformed” signature (/s/) within this e-filed document.

DATED: September 27, 2011

Respectfully submitted,
KILPATRICK TOWNSEND & STOCKTON LLP
By: /s/ Byron R. Chin
BYRON R. CHIN

Attorneys for Defendant and Counterclaimant
GUIDETECH LLC

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