

HENNEFER FINLEY & WOOD, LLP
ATTORNEYS AT LAW

1 Steven C. Finley CSB# 074391
HENNEFER, FINLEY & WOOD, LLP
2 425 California Street, 19th Floor
San Francisco, CA 94104
3 Telephone: (415) 296-0111
Facsimile: (415) 296-7111
4 Email: SFinley@finleylaw.biz
Attorneys for Plaintiff Athena Feminine Technologies, Inc.

5 Christopher Sargent, CSB # 246285
6 COMPUTERLAW GROUP LLP
401 Florence Street
7 Palo Alto, CA 94301
Telephone: (650) 327-9800
8 Facsimile: (650) 618-1863
Email: CSargent@computerlaw.com
9 Attorneys for Defendants Derek Wilkes, Pelfit Technologies,
10 LLC, Morton Cordell, and Silk Road Associates, LLC

11 UNITED STATES DISTRICT COURT
12
13 NORTHERN DISTRICT OF CALIFORNIA

14 ATHENA FEMININE TECHNOLOGIES
15 INC.

17 Plaintiff,

18 vs.

19 DEREK WILKES, PELFIT
TECHNOLOGIES LLC, MORTON
20 CORDELL, SILK ROAD ASSOCIATES
LLC, SIMON FAN, and KING CHAMPION
21 (HONG KONG) LTD.

22 Defendants.

Case No.: CV-10-4868-SBA

**STIPULATION AND ORDER
RESETTING DEADLINES FOR CLAIM
CONSTRUCTION HEARING**

1 WHEREAS:

- 2 A. The parties hereto have previously entered into a Stipulation, which the court has
3 entered as an Order on August 28, 2012 (Docket 117), setting deadlines for a Claim
4 Construction Hearing in this action;
- 5 B. The parties have, in accordance with the Order, disclosed asserted claims and
6 infringement contentions by July 30, 2012, invalidity contentions by September 27,
7 2012, and listed claim terms to be construed by the court by October 15, 2012;
- 8 C. At the same time, the parties have been engaged in continued settlement
9 discussions following an August 24, 2012 Settlement Conference with Honorable
10 Donna Ryu, which discussions are continuing;
- 11 D. Prior to or on October 15, 2012, plaintiff listed three claim terms for construction
12 pursuant to claim 1 of its patent, and defendants listed 32 claim terms for
13 construction pursuant to claims 1-21 of plaintiff's patent (approximately 7 of which
14 are repeated within two or more claims); and
- 15 E. In order to allow additional time for exchange of proposed construction of
16 identified terms, and the filing of a Joint Claim Construction Statement, and to
17 allow additional time for settlement discussions which may obviate the need for the
18 Claim Construction Hearing:
19
20
21

22 THE PARTIES HEREBY STIPULATE, subject to obtaining the permission and consent
23 of the court, through their respective counsel, to extend the current outstanding deadlines in the
24 court's August 28, 2012 Order by a period of approximately twenty-eight (28) days and the Claim
25 Construction Hearing by fourteen (14) days. Accordingly, the parties request the court to extend
26 the deadlines for the parties remaining obligations under the Patent Local Rules as follows:
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 4. Exchange of Proposed Constructions of Identified Terms (LR4-2)
to be served by: December 3, 2012
- 5. Joint Claim Construction Statement (LR4-3) to be served by: December 10, 2012
- 6. Opening Briefs and Evidence to be filed and served by: January 7, 2013
- 7. Opposition Brief and Evidence to be filed and served by: January 21, 2013
- 8. Reply Brief to be filed and served by: February 8, 2013
- 9. Claim Construction Hearing to be held on or after: March 10, 2013

IT IS SO STIPULATED:

Dated: HENNEFER, FINLEY & WOOD, LLP

/s/ Steven C. Finley
Steven C. Finley, Attorney for Plaintiff
Athena Feminine Technologies Inc.

Dated: COMPUTERLAW GROUP LLP

/s/ Christopher Sargent
Christopher Sargent, Attorney for Defendants
Derek Wilkes, Pelfit Technologies, LLC,
Morton Cordell, and Silk Road Associates,
LLC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[PROPOSED] ORDER

The parties shall appear for a claim construction hearing on March 14, 2013 at 10:00 AM. Two (2) hours is allotted for the hearing, inclusive of any tutorial. Immediately following the claims construction hearing, the Court will conduct a Case Management Conference in the courtroom. Prior to the date scheduled for the conference, the parties shall meet and confer and prepare a joint Case Management Conference Statement which complies with the Standing Order for All Judges of the Northern District of California and the Standing Orders of this Court. Plaintiff shall assume responsibility for filing the joint statement no less than seven (7) days prior to the conference date. This Order terminates Docket 117.

Dated: 11/13/12



Hon. Sandra Brown Armstrong
United States District Judge