

1 [JOINT FILING — SEE SIGNATURE PAGE FOR LIST OF COUNSEL]

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

eBay Inc. and Microsoft Corporation,)	No. 4:10-cv-4947-CW (filed Nov. 2, 2010)
<i>Plaintiffs and Counterclaim-Defendants,</i>)	JOINT STIPULATION AND ORDER ON THE PAGE LIMIT FOR DEFENDANTS' REPLY BRIEF ON CLAIM CONSTRUCTION AND SUMMARY JUDGMENT
vs.)	
Kelora Systems, LLC,)	
<i>Defendant and Counterclaim-Plaintiff.</i>)	
Cabela's Inc.,)	No. 4:11-cv-1398-CW (filed Mar. 23, 2011)
<i>Plaintiff and Counterclaim-Defendant,</i>)	(related case)
vs.)	
Kelora Systems, LLC,)	
<i>Defendant and Counterclaim-Plaintiff.</i>)	

1 Kelora Systems, LLC,)
2)
3 *Plaintiff and Counterclaim-Defendant,*)

4 vs.)

5 Target Corporation; OfficeMax Incorporated;)
6 Rockler Companies, Inc.; 1-800-Flowers.com,)
7 Inc.; Amazon.com, Inc.; Dell, Inc.; Office)
8 Depot, Inc.; Newegg Inc.; Costco Wholesale)
9 Corporation; Hewlett-Packard Company;)
10 CircuitCity.com Inc.; Audible, Inc.; and)
11 Zappos.com, Inc.,)

12 *Defendants and Counterclaim-Plaintiffs.*)

13 OfficeMax Incorporated,)

14 *Third-Party Plaintiff,*)

15 vs.)

16 Adobe Systems Incorporated,)

17 *Third-Party Defendant.*)

No. 4:11-cv-1548-CW (filed Nov. 8, 2010)
(related case)

18 Nebraska Furniture Mart, Inc.,)

19 *Plaintiff and Counterclaim-Defendant,*)

20 vs.)

21 Kelora Systems, LLC,)

22 *Defendant and Counterclaim-Plaintiff.*)

No. 4:11-cv-2284-CW (filed Feb. 3, 2011)
(related case)

23 **JOINT STIPULATION**

24 At the Case Management Conference on May 31, 2011, the Court indicated that it would
25 prefer all of the Defendants[†] in the four related actions listed above to file a single opening brief on
26 claim construction and summary judgment, with the understanding that this single brief would likely

27 [†] The “Defendants” are eBay Inc.; Microsoft Corporation; Cabela’s Inc.; Target Corporation;
28 OfficeMax Incorporated; Rockler Companies, Inc.; 1-800-Flowers.com, Inc.; Amazon.com, Inc.;
Dell, Inc.; Office Depot, Inc.; Newegg Inc.; Costco Wholesale Corporation; Hewlett-Packard
Company; CircuitCity.com Inc.; Audible, Inc.; Zappos.com, Inc.; and Nebraska Furniture Mart, Inc.

1 exceed the normal 25-page limit on briefs. *See* Hr'g Tr. at 16:18–17:3, 20:24–21:7 (May 31, 2011)
2 [Case No. 11-1548, ECF No. 274]. With the permission of the Court [Case No. 10-4947, ECF Nos.
3 86, 106], Defendants filed a single opening brief that was 60 pages [Case No. 10-4947, ECF No. 94],
4 and Kelora filed a single opposition brief that was 60 pages [Case No. 10-4947, ECF No. 109].

5 The Defendants have met and conferred with Kelora about the page limits for Defendants'
6 reply brief on claim construction and summary judgment, and Kelora does not oppose the
7 Defendants' request to file a single reply brief of not more than 36 pages, which is proportional to
8 the page limit normally provided by Civil L.R. 7-3(c).

9 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

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11 DATED: October 20, 2011

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By: /s/ Richard A. Cederoth

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SIGNATURE ATTESTATION

Pursuant to General Order No. 45(X)(B), I hereby certify that concurrence in the filing of this document has been obtained from each of the other signatories shown above.

/s/ Aaron M. Farber

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ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT eBay Inc.; Microsoft Corporation; Cabela's Inc.; Target Corporation; OfficeMax Incorporated; Rockler Companies, Inc.; 1-800-Flowers.com, Inc.; Amazon.com, Inc.; Dell, Inc.; Office Depot, Inc.; Newegg Inc.; Costco Wholesale Corporation; Hewlett-Packard Company; CircuitCity.com Inc.; Audible, Inc.; Zappos.com, Inc.; and Nebraska Furniture Mart, Inc. may all file together in the four related actions listed above a single reply brief on claim construction and summary judgment of not more than 36 pages.

SO ORDERED.

Dated: 10/25/2011



CLAUDIA WILKEN
United States District Judge