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19 Attorneys for Plaintiff Affinity Labs of Texas,
 20 LLC

21
 22 **IN THE UNITED STATES DISTRICT COURT**
 23 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 24 **OAKLAND DIVISION**

25 AFFINITY LABS OF TEXAS, LLC,

26 Plaintiff,

27 v.

28 NIKE, INC. AND APPLE INC.,

Defendants.

Case No.: 4:10-cv-05543-CW

**STIPULATION TO CONTINUE CASE
 DEADLINES REGARDING
 DEFENDANT NIKE, INC. AND
 [PROPOSED] ORDER**

Judge: Hon. Claudia Wilken

IT IS HEREBY STIPULATED by and between Plaintiff Affinity Labs of Texas, LLC
 (“Affinity”) and Defendant NIKE, Inc. (“NIKE”) as follows:

1 WHEREAS, on August 24, 2011, Affinity and Defendant Apple Inc. (“Apple”) filed a
2 stipulation to continue the deadlines for Apple’s Patent L.R. 3-3 and Patent L.R. 3-4 disclosures in
3 this litigation because Affinity and Apple have been working to reach a settlement that would
4 include claims against or by Apple in this litigation and Case No. CV 09-4436-CW; (*see* D.E. 136);
5

6 WHEREAS, Affinity and NIKE agree that the Defendants in this litigation, Apple and NIKE,
7 should have the same deadlines for Patent L.R. 3-3 and Patent L.R. 3-4 disclosures;

8 NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN AFFINITY
9 AND NIKE, THROUGH THEIR RESPECTIVE COUNSEL AND SUBJECT TO THE
10 APPROVAL OF THE COURT, AS FOLLOWS:

- 11 1. The date for serving Patent L.R. 3-3 invalidity contentions currently due on August
12 26, 2011 will be continued to September 23, 2011 for NIKE;
- 13 2. The date for serving documents as required by Patent L.R. 3-4 currently due on
14 August 29, 2011 will be continued to September 26, 2011 for NIKE; and
- 15 3. All other deadlines will remain unchanged.

16 These changes will not affect any other deadlines before the Court.
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18

19 Dated: August 25, 2011

RICHARD L. SEABOLT
L. NORWOOD JAMESON
MATTHEW C. GAUDET

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22 DUANE MORRIS LLP

23 By: /s/ Matthew C. Gaudet
24 Matthew C. Gaudet

25 Attorneys for Plaintiff AFFINITY LABS OF
26 TEXAS, LLC
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1 Pursuant to General Order No. 45 X(B), I hereby attest that concurrence in the filing of this
2 document has been obtained from Michael J. Harris.

3
4 Dated: August 25, 2011

RICHARD L. SEABOLT
L. NORWOOD JAMESON
MATTHEW C. GAUDET
DUANE MORRIS LLP

5
6
7 By: /s/ Matthew C. Gaudet
Matthew C. Gaudet

8
9 Attorneys for Plaintiff AFFINITY LABS OF
TEXAS, LLC

10 Dated: August 25, 2011

11 HEIDI KEEFE
JEFFREY T. NORBERG
COOLEY LLP


12
13 CHRISTOPHER J. RENK
ERIK S. MAURER
MICHAEL J. HARRIS
AUDRA EIDEM HEINZE
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14
15
16 By: /s/ Michael J. Harris
Michael J. Harris

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18 Attorneys for Defendant NIKE, INC.

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20 PURSUANT TO STIPULATION, IT IS SO ORDERED,

21
22 Dated: 8/25/2011



Honorable Claudia Wilken
United States District Judge