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Attorneys for Defendant Callpod, Inc.

8 **UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 10 **OAKLAND DIVISION**

12
 13 GN RESOUND A/S, a corporation,
 14 Plaintiff,
 15 v.
 16 CALLPOD, INC., a corporation,
 17 Defendant.

Case No. 11-cv-04673-SBA

**JOINT STIPULATION PURSUANT TO
 CIVIL L.R. 6-1(a), 6-1(b), 6-2 AND 7-12 TO
 PERMIT PLAINTIFF TO AMEND
 INFRINGEMENT CONTENTIONS AND
 TO CHANGE DATES BASED ON
 SERVICE OF AMENDED
 INFRINGEMENT CONTENTIONS AND
 ORDER**

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1 Defendant Callpod Inc. ("Callpod") and Plaintiff GN Resound A/S ("GN Resound"), pursuant
 2 to Civil L.R. 6-1(a), 6-1(b), 6-2 and 7-12 hereby jointly stipulate to permit GN Resound to amend its
 3 Disclosure of Asserted Claims and Infringement Contentions ("Infringement Contentions") and
 4 jointly request that the Court reset the deadlines for Invalidity Contentions, Exchange of Proposed
 5 Terms for Construction, Exchange of Preliminary Claim Constructions and Extrinsic Evidence, Joint
 6 Claim Construction and Prehearing Statement, Completion of Claim Construction Discovery, Claim
 7 Construction Briefs and the Claim Construction Hearing.

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 9 On June 1, 2012, pursuant to the Court's Initial Case Scheduling Order, GN Resound served
 10 its Patent L.R. 3-1 Infringement Contentions. Callpod claims that the Infringement Contentions do
 11 not provide the level of specificity required by Patent L.R. 3-1 and that Callpod cannot therefore
 12 adequately prepare invalidity contentions. GN Resound disputes both of Callpod's assertions and has
 13 provided Callpod with a letter explaining why GN Resound believes its Infringement Contentions
 14 comply with Patent L.R. 3-1. Rather than present this dispute to the Court, however, GN Resound
 15 has agreed to provide Amended L.R. 3-1 Infringement Contentions by July 13, 2012.

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 17 Because Callpod will not be receiving amended infringement contentions until July 13, 2012,
 18 the parties request a continuance of the deadlines set in the Court's Initial Case Scheduling Order.
 19 (Dkt. No. 39). Therefore, the parties jointly request that the Court continue these deadlines. The
 20 parties propose the following schedule:

Event	Original Schedule	Proposed Modified Schedule
Disclosure of Asserted Claims and Infringement Contentions	June 1, 2012	
<i>Amended</i> Disclosure of Asserted Claims and Infringement Contentions		July 13, 2012
Invalidity Contentions	July 16, 2012	August 27, 2012

1	Exchange of Proposed Terms for Construction	July 30, 2012	September 14, 2012
2	Exchange of Preliminary Claim Constructions and Extrinsic Evidence	August 20, 2012	September 28, 2012
3			
4	Joint Claim Construction and Prehearing Statement	September 14, 2012	October 12, 2012
5			
6	Completion of Claim Construction Discovery	October 1, 2012	October 26, 2012
7			
8	Claim Construction Opening Brief	October 10, 2012	November 16, 2012
9			
10	Claim Construction Responsive Brief	October 24, 2012	November 30, 2012
11			
12	Claim Construction Reply Brief (compliance with Patent L.R. 4-5(c))	October 31, 2012	December 7, 2012
13			
14	Claim Construction Hearing	November 28 at 10:00 a.m. for 2.0 hours	January 16, 2013 at 10:00 a.m. for 2.0 hours

15 This is the first modification of time proposed by either party. There have been three prior
16 modifications of time in this case:

17 (1) On November 18, 2011, after the case was reassigned to this Court, the Court entered an
18 order rescheduling the initial Case Management Conference for January 18, 2012. (Dkt. No. 9).
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20 (2) On December 9, 2011, the Case Management Conference was rescheduled for April 3,
21 2012.

22 (3) On May 3, 2012, the Court entered an order continuing the Case Management Conference
23 originally scheduled for May 3, 2012 to May 10, 2012. (Dkt. No. 36).

24 No trial date has been assigned in this case. As such, the present modifications will not
25 adversely impact the case schedule.
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Dated: July 6 12, 2012

Respectfully submitted,

BLACK CHANG & HAMILL LLP

By: /s/ Andrew G. Hamill
Andrew G. Hamill

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Dated: July 6 12, 2012

Respectfully submitted,

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Attorneys for Plaintiff GN Resound A/S

1 **ORDER**

2 The Court finds good cause to GRANT the parties' Stipulation. Accordingly, the following
3 schedule is now in effect:

4 Event	Date
5 Disclosure of Asserted Claims and 6 Infringement Contentions	
7 <i>Amended</i> Disclosure of Asserted Claims and 8 Infringement Contentions	July 13, 2012
9 Invalidity Contentions	August 27, 2012
10 Exchange of Proposed Terms for Construction	September 14, 2012
11 Exchange of Preliminary Claim Constructions and Extrinsic Evidence	September 28, 2012
12 Joint Claim Construction and Prehearing 13 Statement	October 12, 2012
14 Completion of Claim Construction Discovery	October 26, 2012
15 Claim Construction Opening Brief	November 16, 2012
16 Claim Construction Responsive Brief	November 30, 2012
17 Claim Construction Reply Brief	December 7, 2012
18 Claim Construction Hearing	January 16, 2013 at 10:00 a.m. for 2.0 hours

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21 **IT IS SO ORDERED.**

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24 Dated: 7/10/12



25 Honorable Sandra B. Armstrong

26 United States District Court Judge