

1                                    IN THE UNITED STATES DISTRICT COURT  
2                                    FOR THE NORTHERN DISTRICT OF CALIFORNIA

3  
4 BRANDYWINE COMMUNICATIONS  
5 TECHNOLOGIES, LLC,

6                                    Plaintiff,

7                                    v.

8 AT&T CORP., et al.,

9                                    Defendants.  
10 \_\_\_\_\_/

No. C 12-2494 CW

ORDER DIRECTING  
PARTIES TO RE-  
SUBMIT DISPOSITIVE  
MOTIONS; AMENDING  
BRIEFING SCHEDULE

11                                    On March 19, 2014, Plaintiff Brandywine Communications  
12 Technologies, Inc., filed separately various motions to strike  
13 certain expert reports, exclude expert testimony, and preclude  
14 reliance on certain non-infringement theories. On April 2, 2014,  
15 Defendants AT&T Corporation and SBC Internet Services  
16 (collectively, AT&T) filed separate responses to each of  
17 Plaintiff's motions and filed cross-motions for summary judgment  
18 and to exclude expert testimony. Each party failed to file all of  
19 its motions in a consolidated brief of twenty-five pages or less.  
20 Accordingly, the parties are directed to re-submit their motions  
21 according to the format and schedule set forth below.

22                                    On April 23, 2014, Plaintiff shall file all of its  
23 dispositive motions, motions to preclude reliance on non-  
24 infringement theories, and motions to strike or exclude expert  
25 reports or testimony. All of these motions shall be contained in  
26 a single brief, not to exceed twenty-five pages.

27                                    On or before May 7, 2014, AT&T shall file its opposition to  
28 Plaintiff's motions and any cross-motions for summary judgment or

1 cross-motions to exclude expert testimony. The opposition and any  
2 cross-motions shall be contained in a single brief, not to exceed  
3 twenty-five pages.

4 On or before May 14, 2014, Plaintiff shall file a single  
5 brief, not to exceed fifteen pages, containing its reply to its  
6 own motions and any opposition to AT&T's cross-motions.

7 On or before May 21, 2014, AT&T shall file its reply to its  
8 cross-motions in a single brief, not to exceed fifteen pages.

9 The Court shall hear all dispositive motions and Daubert  
10 motions at 2:00 p.m. on June 5, 2014.

11 IT IS SO ORDERED.

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13 Dated: 4/9/2014

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15 CLAUDIA WILKEN  
16 United States District Judge  
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