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Attorneys for Defendant Apple Inc.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

SLOT SPEAKER TECHNOLOGIES, INC.,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 4:13-cv-01161-HSG (DMR)

**STIPULATION AND ORDER
 REGARDING EXTENSION OF TIME TO
 CONDUCT DEPOSITIONS**

Pursuant to L.R. 6-2, IT IS HEREBY STIPULATED, by and between Plaintiff Slot Speaker Technologies, Inc. (“SST”) and Defendant Apple Inc. (“Apple”) (collectively, the “Parties”), by and through their counsel of record, as follows:

WHEREAS, on November 30, 2016, the Court entered a Scheduling Order setting May 1, 2017 as the close of fact discovery (Dkt. 219, “Scheduling Order”);

WHEREAS, the Parties have not requested any modifications to the Scheduling Order prior to this date;

WHEREAS, the Parties have made a good faith effort to complete fact discovery by May 1, 2017 but, due to scheduling difficulties and other issues, have been unable to complete certain party and non-party depositions within the fact discovery period;

WHEREAS, the Parties (and third parties) have been able to agree upon certain deposition dates following May 1, 2017, and are working to secure the remaining dates;

WHEREAS, in light of the foregoing, the Parties, by and through their designated counsel, hereby submit this joint stipulated motion for leave to take the depositions identified below after the close of fact discovery;

Deposition	Proposed Date
Michael Morishita (third party)	May 12, 2017
Scott Porter (third party)	May 16, 2017
Craig Buckley (third party)	On a date mutually agreeable to Apple, Mr. Buckley, and his counsel
Apple’s designee concerning Topic 12 in SST’s First Notice of Deposition of Apple Pursuant to Fed. R. Civ. P. 30(b)(6)	On a date mutually agreeable to Apple, SST, and the deponent
SST’s designee, in accordance with Magistrate Judge Ryu’s March 23, 2017 ruling, for Apple’s Second Rule 30(b)(6) Notice of Deposition	On a date mutually agreeable to Apple, SST, and the deponent

1 WHEREAS, the Parties acknowledge that an Order granting the Parties' request to take
2 certain depositions out of time will have no bearing on SST's, Apple's, or any third party's right
3 to object to a deposition, except to the extent the objection is to the deposition having been taken
4 after the close of discovery (as to this last objection, it is mutually waived by both SST and
5 Apple);

6 WHEREAS, permitting these depositions after the close of fact discovery would not
7 require adjustment of any other deadlines in this case;

8 WHEREAS, the Parties respectfully submit that there is good cause to modify the existing
9 case schedule regarding the deadline for the close of fact discovery as proposed, as it will allow
10 the Parties to complete the requested fact depositions (all of which were sought prior to the
11 current close of fact discovery) prior to the deadline for initial expert reports;

12 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties that
13 the depositions of Michael Morishita, Scott Porter, Craig Buckley, Apple's Rule 30(b)(6)
14 designee concerning Topic 12 of SST's First Notice of Deposition of Apple, and SST's Rule
15 30(b)(6) designee concerning Apple's Second Notice of Deposition of SST in accordance with
16 Magistrate Judge Ryu's March 23, 2017 ruling will take place on the dates listed above or a
17 mutually agreeable date after the close of fact discovery.

18 The Parties also respectfully request that the Court issue an order granting the relief
19 requested.

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2 DATED: May 10, 2017

By: /s/ Eric L. Wesenberg
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8 DATED: May 10, 2017


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Attorney for Defendant Apple Inc.

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17 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

20 Dated: May 12, 2017


Hon. Haywood S. Gilliam, Jr.
United States District Judge

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Dated: May 10, 2017

Christine C. Capuyan