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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAP AMERICA, INC.,
Plaintiff,
v.
LAKSHMI ARUNACHALAM,
Defendant.

Case No. 13-cv-01248-PJH

**ORDER LIFTING STAY AND SETTING
BRIEFING SCHEDULE**

This action has been stayed since October 15, 2013. On November 1, 2018, the court ordered plaintiff SAP America, Inc. and defendant Lakshmi Arunachalam to file a joint status statement addressing whether the stay should be lifted. The parties subsequently filed separate status statements. Having reviewed those status statements, the court finds that good cause exists to lift the stay and hereby does so. The clerk shall reopen the case.

The court is also in receipt of two motions filed by the defendant. First, defendant moves for permission to file electronically. The motion is DENIED as moot because the court has previously granted the same request. See Dkt. 78. Second, on December 2, 2018, while this action was still stayed, defendant filed a “Motion for Constitutional Redress and Damages and Summary Judgment for Patent Infringement,” with a January 2, 2019 hearing. See Dkt. 89. That motion was untimely because the stay had not yet been lifted. The motion also violated L.R. 7-2(a) because defendant set it for hearing less than 35 days after it was filed.

The court, however, does find that that the most efficient next step is for the parties to file summary judgment motions. Those motions shall be briefed in accordance

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with the following schedule:

- **December 21, 2018:** Deadline for plaintiff to file its motion for summary judgment, if any;
- **January 16, 2019:** Deadline for the parties to file any oppositions to the summary judgment motions;
- **January 23, 2019:** Deadline for the parties to file any reply in support of the summary judgment motions; and
- **February 20, 2019:** Hearing on the parties' motions for summary judgment in Courtroom 3, on the 3rd floor of the Federal Building, 1301 Clay Street, Oakland, California. The court notes, however, that due to its schedule, it may vacate this hearing date and decide the motions on the papers.

IT IS SO ORDERED.

Dated: December 3, 2018



PHYLLIS J. HAMILTON
United States District Judge