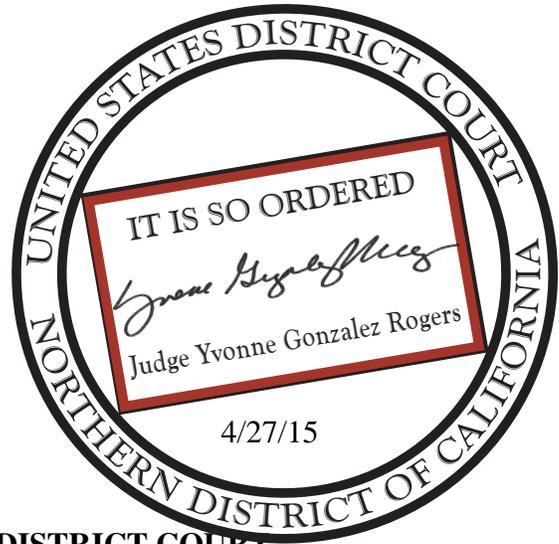


1 VENABLE LLP
 2 Ralph A. Dengler (Admitted *Pro Hac Vice*)
 RADengler@Venable.com
 3 Andrew P. MacArthur (Admitted *Pro Hac Vice*)
 APMacArthur@Venable.com
 4 Rockefeller Center
 1270 Avenue of the Americas
 5 Twenty-Fourth Floor
 New York, NY 10020
 Telephone: (212) 503-0655
 Facsimile: (212) 307-5598

6 Thomas E. Wallerstein (SBN 232086)
 7 TWallerstein@Venable.com
 Kimberly Culp (SBN 238839)
 8 KCulp@Venable.com
 William A. Hector (SBN 298490)
 9 WAHector@Venable.com
 Spear Tower, 40th Floor
 10 One Market Plaza
 1 Market Street
 11 San Francisco, California 94105
 Telephone: (415) 653-3750
 12 Facsimile: (415) 653-3755

13 *Attorneys for plaintiff NOBELBIZ, INC.*



14
 15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
 17 **OAKLAND DIVISION**

18 NOBELBIZ, INC.
 19
 20 Plaintiff,
 21 v.
 22 LIVEVOX, INC.
 23 Defendant.
 24
 25 NOBELBIZ, INC.
 26 Plaintiff,
 27 v.
 28 FIVE9, INC.
 Defendant.

CASE NO. 13-cv-01773-YGR

RELATED CASE:
13-cv-01846-YGR

**SUPPLEMENTAL STATEMENT
 REGARDING CO-PENDING
 LITIGATIONS AND
 [PROPOSED] REVISED CASE
 MANAGEMENT SCHEDULE**

First Action Filed: April 3, 2012
 Action Transferred: April 18, 2013
 Trial Date: None set

1 **I. SUPPLEMENTAL STATEMENT REGARDING CO-PENDING LITIGATIONS**

2 Pursuant to the Court’s instructions during the case management conference on April 6,
3 2015, NobelBiz provides the following supplemental update regarding the *NobelBiz, Inc. v.*
4 *Global Connect, L.L.C.*, 6:12-cv-00244-RWS (E.D. Tex.) and *NobelBiz, Inc. v. TCN, Inc.*, 6:12-
5 cv-00247-RWS (E.D. Tex.) cases (collectively, the “Global Connect and TCN cases”) currently
6 pending before the Honorable Robert W. Schroeder III in the Eastern District of Texas. Shortly
7 after filing the Joint Statement of Compliance and Statement by Plaintiff Regarding Co-Pending
8 Litigations (Dkt. 131) with this Court on Friday, April 18, 2015, the court in the Global Connect
9 and TCN cases issued an Order setting a Pretrial Conference for May 11, 2015. During the
10 Pretrial Conference, the court will hear argument on all motions currently pending before the
11 court, which include fully-briefed summary judgment motions, *Daubert* motions, motions to
12 strike, and motions *in limine*. The Order also requires NobelBiz and the defendants in the Global
13 Connect and TCN cases to meet and confer in advance of the conference to determine the
14 parties’ availability for a summer or fall trial date.

15 Anticipating a summer or fall trial date for the Global Connect and TCN cases in the
16 Eastern District of Texas, NobelBiz, Inc., LiveVox, Inc., and Five9, Inc. (collectively, the
17 “Parties”) respectfully and jointly propose the below revised case management schedule for the
18 above-captioned cases pending before this Court. Most notably, the proposed revised case
19 management schedule extends the deadline for the close of fact discovery to January 15, 2016,
20 the same day as the close of expert discovery. The Parties do not propose any changes to the
21 trial date set by the Court or any dates dependent on the trial date.

22 **II. PROPOSED AMENDED SCHEDULE**

23 The Parties agree to and respectfully propose the following deadlines in this matter.

24

Event	Deadline
Compliance date for parties to schedule mediation and update Court regarding E.D. Tex. litigations	April 24, 2015
Production of Source Code and all technical documents (Patent L.R. 3-4)	August 10, 2015
Deadline to complete expert demonstration of defendants’ accused systems	September 11, 2015

25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Event	Deadline
Deadline to advise the Court of mediation	September 15, 2015
Deadline to amend infringement contentions	October 9, 2015
Deadline to seek leave of Court to amend pleadings	November 9, 2015
Deadline to amend invalidity contentions	November 13, 2015
Initial expert disclosures and reports due	December 22, 2015
Rebuttal expert disclosures and reports due	January 8, 2016
Deadline to complete fact and expert discovery	January 15, 2016
Deadline to file Dispositive motions, <i>Daubert</i> motions, and motions to strike	February 16, 2016
Deadline to oppose Dispositive motions, <i>Daubert</i> motions, and motions to strike	March 8, 2016
Deadline to reply in support of Dispositive motions, <i>Daubert</i> motions, and motions to strike	March 15, 2016
Hearing on Dispositive motions, <i>Daubert</i> motions, and motions to strike	April 12, 2016
Deadline to exchange proposed motions <i>in limine</i> (Court's Pretrial Instructions in Civil Cases ¶ 4.a)	May 6, 2016
Deadline to exchange exhibits and exhibit lists (Court's Pretrial Instructions in Civil Cases ¶ 6.a)	May 6, 2016
Deadline to meet and confer regarding Joint Pretrial Conference Statement (Court's Pretrial Instructions in Civil Cases ¶ 2)	May 13, 2016
Joint Pretrial Conference Statement due (Court's Pretrial Instructions in Civil Cases ¶ 2)	May 20, 2016
Motions <i>in limine</i> due (Court's Pretrial Instructions in Civil Cases ¶ 4.b)	May 20, 2016
Compliance date for parties to report on readiness for trial	May 20, 2016
Oppositions to motions <i>in limine</i> due (Court's Pretrial Instructions in Civil Cases ¶ 4.b)	May 25, 2016
Deadline for pretrial filings and submission of Joint Trial Readiness Binder and Motions <i>in Limine</i> Binder (Court's Pretrial Instructions in Civil Cases ¶¶ 3 and 4.c)	May 27, 2016
Final pretrial conference (Court's Pretrial Instructions in Civil Cases ¶ 1)	June 3, 2016
Deadline to submit three sets of trial exhibits (Court's Pretrial Instructions in Civil Cases ¶ 6.c)	June 17, 2016

Event	Deadline
Commencement of jury trial (Court's Pretrial Instructions in Civil Cases ¶ 1)	June 20, 2016

Should the Court have any questions, the Parties are available to discuss at the Court's convenience.

Respectfully submitted,

Dated: April 21, 2015

VENABLE LLP

/s/ Ralph A. Dengler

Ralph A. Dengler

Andrew P. MacArthur

William A. Hector

Counsel for plaintiff NobelBiz, Inc.

LOCKE LORD LLP

/s/ Robert M. Harkins

Robert M. Harkins

Counsel for defendants LiveVox, Inc. and Five9, Inc.

Attestation Regarding Signatures

I, William A. Hector, attest that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Date: April 21, 2015

VENABLE LLP

By: /s/ William A. Hector

William A. Hector

Attorneys for plaintiff NobelBiz, Inc.