

United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**NOBELBIZ, INC.,**  
Plaintiff,  
v.  
**LIVEVOX, INC.,**  
Defendant.

Case No. 13-cv-1773-YGR

**NOBELBIZ, INC.,**  
Plaintiff,  
v.  
**FIVE9, INC.,**  
Defendant.

Case No. 13-cv-1846-YGR

**ORDER SETTING SCHEDULE AND LIFTING  
STAY**

**TO ALL PARTIES AND COUNSEL OF RECORD:**

Having reviewed the parties' submission, prior filings regarding the necessity of a stay and scheduling after a stay was lifted, and the Federal Circuit decision in *NobelBiz, Inc. v. Global Connect, LLC, TCN, Inc.*, Nos. 2016-1104 & 2016-1105 (9th Cir. July 19, 2017), the Court **LIFTS** the stay, and hereby **SETS** the following schedule:<sup>1</sup>

**PRETRIAL SCHEDULE**

CASE MANAGEMENT CONFERENCE	Monday, October 23, 2017 at 2:00 p.m.
DEADLINE TO AMEND INFRINGEMENT CONTENTIONS	December 15, 2017
DEADLINE TO AMEND INVALIDITY CONTENTIONS	January 19, 2018
DEADLINE TO SEEK LEAVE OF COURT TO AMEND PLEADINGS	January 30, 2018
INITIAL EXPERT DISCLOSURES AND REPORTS DUE	February 23, 2018

<sup>1</sup> The Court further **VACATES** the compliance hearing currently set for Friday, September 29, 2017.

1	REBUTTAL EXPERT DISCLOSURES AND REPORTS DUE	March 23, 2018
2		
3	DEADLINE TO COMPLETE FACT AND EXPERT DISCOVERY	April 16, 2018
4		
5	DEADLINE TO FILE DISPOSITIVE MOTIONS, <i>DAUBERT</i> MOTIONS, AND MOTIONS TO STRIKE <sup>2</sup>	May 15, 2018
6		
7	DEADLINE TO OPPOSE DISPOSITIVE MOTIONS, <i>DAUBERT</i> MOTIONS, AND MOTIONS TO STRIKE	June 12, 2018
8		
9	DEADLINE TO REPLY IN SUPPORT OF DISPOSITIVE MOTIONS, <i>DAUBERT</i> MOTIONS, AND MOTIONS TO STRIKE	July 3, 2018
10		
11	DISPOSITIVE MOTIONS, <i>DAUBERT</i> MOTIONS, AND MOTIONS TO STRIKE TO BE HEARD BY	July 24, 2018
12		
13	COMPLIANCE HEARING ( <i>SEE PAGE 2</i> )	Friday, September 21, 2018 at 9:01 a.m.
14		
15	JOINT PRETRIAL CONFERENCE STATEMENT	September 28, 2018
16		
17	PRETRIAL CONFERENCE	Friday, October 12, 2018 at 9:00 a.m.
18		
19	TRIAL DATE	Monday, October 29, 2018 at 8:30 a.m. (Jury Trial)

Pursuant to the Court’s Pretrial Instructions in Civil Cases at Section 2, trial counsel shall meet and confer in advance of the Pretrial Conference. The compliance hearing on Friday, September 21, 2018 at 9:01 a.m. is intended to confirm that counsel have reviewed the Court’s Pretrial Setting Instructions and are in compliance therewith. The compliance hearing shall be held in the Federal Courthouse, 1301 Clay Street, Oakland, California, in Courtroom 1. Five (5) business days prior to the date of the compliance hearing, the parties shall file a one-page JOINT STATEMENT confirming they have complied with this requirement or explaining their failure to comply. If compliance is complete, the parties need not appear and the compliance hearing will be taken off calendar. Telephonic appearances will be allowed if the parties have submitted a joint statement in a timely fashion. Failure to do so may result in sanctions.

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<sup>2</sup> See Standing Order regarding Pre-filing Conference Requirements for motions for summary judgment.

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The parties are advised that the Court is willing to compress the schedule and advance the trial date.

The parties must comply with both the Court’s Standing Order in Civil Cases and Standing Order for Pretrial Instructions in Civil Cases for additional deadlines and procedures. All Standing Orders are available on the Court’s website at <http://www.cand.uscourts.gov/ygrorders>.

**IT IS SO ORDERED.**

Dated: September 26, 2017

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT