

1 Matthew B. Lehr (Bar No. 213139)
 matthew.lehr@davispolk.com
 2 Anthony I. Fenwick (Bar No. 158667)
 anthony.fenwick@davispolk.com
 3 Gareth DeWalt (Bar No. 261479)
 gareth.dewalt@davispolk.com
 4 Igor Piryazev (Bar No. 253149)
 igor.piryazev@davispolk.com
 5 Shiwoong Kim (Bar No. 275344)
 shiwoong.kim@davispolk.com
 6 DAVIS POLK & WARDWELL
 7 1600 El Camino Real
 8 Menlo Park, California 94025
 Telephone: (650) 752-2000
 9 Facsimile: (650) 752-2111

10 Thomas C. Grimm (*pro hac vice*)
 tgrimm@mnat.com
 11 MORRIS NICHOLS ARSHT & TUNNELL
 12 1201 N. Market Street
 Wilmington, Delaware 19899
 13 Telephone: (302) 658-9200
 14 Facsimile: (302) 658-3989

15 Attorneys for Plaintiff
 Riverbed Technology, Inc.

17 **UNITED STATES DISTRICT COURT**
 18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

20 RIVERBED TECHNOLOGY, INC.,)	CASE NO.: 13-cv-2980-JSW
)	
21 Plaintiff/)	STIPULATION AND PROPOSED
22 Counterclaim-defendant,)	ORDER TO EXTEND DATE OF SERVICE
)	OF RULE 3-1 DISCLOSURES AND
23 v.)	EXCHANGE OF PRELIMINARY CLAIM
)	CONSTRUCTIONS AND EXTRINSIC
24 SILVER PEAK SYSTEMS, INC.,)	EVIDENCE PURSUANT TO PATENT
)	LOCAL RULE 4-2
25 Defendant/)	
26 Counterclaim-plaintiff.)	

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1 WHEREAS on October 28, 2014, the Parties jointly agreed to exchange preliminary
2 claim constructions and extrinsic evidence pursuant to Patent Local Rule 4-2 on November 19,
3 2014 (Dkt. No. 58);

4 WHEREAS on October 28, 2014, the Court adopted the Parties' proposed deadline of
5 November 19, 2014 (Dkt. No. 59);

6 WHEREAS the Parties have agreed that Plaintiff Riverbed Technology, Inc. shall serve
7 its updated disclosures pursuant to Patent Local Rule 3-1 on November 24, 2014 after reviewing
8 Defendant Silver Peak Systems, Inc.'s source code;

9 WHEREAS Plaintiff Riverbed Technology, Inc.'s forthcoming amended infringement
10 contentions may affect the number of proposed terms for construction and the proposed
11 constructions for those terms;

12 WHEREAS the Parties have conferred and have stipulated, subject to the Court's
13 approval, to move the date for the Exchange of Preliminary Claim Constructions and Extrinsic
14 Evidence pursuant to Patent Local Rule 4-2 to December 5, 2014;

15 WHEREAS the Parties do not anticipate that granting this stipulation will have any effect
16 ton any other deadline in this case;

17 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Riverbed
18 Technology, Inc. and Defendant Silver Peak Systems, Inc., stipulate that, subject to the Court's
19 approval, Riverbed's updated disclosures pursuant to Patent Local Rule 3-1 will be due on
20 November 24, 2014, and the Exchange of Preliminary Claim Constructions and Extrinsic
21 Evidence will be due December 5, 2014.

22 IT IS SO STIPULATED.
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1 Dated: November 10, 2014

Respectfully submitted,

2 DAVIS POLK & WARDWELL LLP

3 /s/ Gareth E. DeWalt

4 Matthew B. Lehr (SBN 213139)
5 Anthony I. Fenwick (SBN 158667)
6 Gareth E. DeWalt (SBN 261479)
7 Igor Piryazev (SBN 253149)
8 Shiwoong Kim (SBN 275344)
9 1600 El Camino Real
10 Menlo Park, California 94025
11 Telephone: (650) 752-2000
12 Facsimile: (650) 752-2111
13 matthew.lehr@davispolk.com
14 anthony.fenwick@davispolk.com
15 gareth.dewalt@davispolk.com
16 igor.piryazev@davispolk.com
17 shiwoong.kim@davispolk.com

Counsel for Plaintiff Riverbed Technology, Inc.

14 FENWICK & WEST LLP

15 /s/ Lauren E. Whittemore

16 Michael J. Sacksteder (SBN 191605)
17 Bryan A. Kohm (SBN 233276)
18 Lauren E. Whittemore (SBN 255432)
19 William A. Mosely (SBN 278740)
20 555 California Street, 12th Floor
21 San Francisco, California 94104
22 Telephone: (415) 875-2300
23 Facsimile: (415) 271-1350
24 msacksteder@fenwick.com
25 bkohm@fenwick.com
26 lwhittemore@fenwick.com
27 wmoseley@fenwick.com

Counsel for Defendant Silver Peak Systems, Inc.

ATTORNEY ATTESTATION

Pursuant to General Order 45, Part X-B and Civil Local Rule 5-1(i)(3), the filer attests that concurrence in the filing of this document has been obtained from each of the above signatories.

/s/ Gareth E. DeWalt
Gareth E. DeWalt (SBN 261479)

The Court having considered the stipulation of the parties, and good cause appearing therefor, orders as follows:

Riverbed will serve updated disclosures pursuant to Patent Local Rule 3-1 no later than November 24, 2014, and the Parties shall exchange their preliminary claim constructions and extrinsic evidence pursuant to Patent Local Rule 4-2 no later than December 5, 2014.

IT IS SO ORDERED.

November 10, 2014


THE HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT COURT