

1 Thomas J. Wimbiscus (*Pro Hac Vice*)  
 twimbiscus@mcandrews-ip.com  
 2 Gregory C. Schodde (*Pro Hac Vice*)  
 gschodde@mcandrews-ip.com  
 3 Ronald H. Spuhler (*Pro Hac Vice*)  
 rspuhler@mcandrews-ip.com  
 4 Wayne H. Bradley (*Pro Hac Vice*)  
 wbradley@mcandrews-ip.com  
 5 **McANDREWS, HELD & MALLOY, LTD.**  
 500 West Madison Street, 34th Floor  
 6 Chicago, Illinois 60661  
 312-775-8000  
 7 312-775-8100 - Facsimile

Sean C. Cunningham (CA Bar No. 174931)  
 sean.cunningham@dlapiper.com  
**DLA PIPER LLP (US)**  
 401 B Street, Suite 1700  
 San Diego, California 92101-4297  
 619-699-2700  
 619-699-2701 - Facsimile

8 Benjamin K. Riley (CA Bar No. 112007)  
 briley@bzbm.com  
 9 Robert N. Bunzel (CA Bar No. 99395)  
 rbunzel@bzbm.com  
 10 W. Paul Schuck (CA Bar No. 203717)  
 pschuck@bzbm.com  
 11 Sony B. Barari (CA Bar No. 243379)  
 sbarari@bzbm.com  
 12 Simon R. Goodfellow (CA Bar No. 246085)  
 sgoodfellow@bzbm.com  
 13 **BARTKO, ZANKEL, BUNZEL & MILLER**  
 One Embarcadero Center, Suite 800  
 14 San Francisco, California 94111  
 (415) 956-1900  
 15 (415) 956-1152 - Facsimile

16 Attorneys for Plaintiff  
 NETLIST, INC.

17  
 18 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
 19 **OAKLAND DIVISION**

20 NETLIST, INC.,  
 21 Plaintiff,  
 22 v.  
 23 SMART STORAGE SYSTEMS, INC., and  
 24 DIABLO TECHNOLOGIES, INC.,  
 Defendants.

CASE NO. 4:13-CV-05889-YGR  
**ORDER GRANTING  
 JOINT STIPULATION WITH PROPOSED  
 ORDER TO MODIFY DEADLINE FOR  
 EXCHANGING PROPOSED CLAIM  
 CONSTRUCTIONS**

25  
 26  
 27  
 28

1 On June 20, 2014, the parties exchanged their proposed terms for construction, as required  
 2 by the Court's May 9, 2014 Order [Dkt. No. 209]. Plaintiff Netlist, Inc. identified nine terms to  
 3 be construed; Defendants Smart Storage Systems, Inc. ("Smart Storage") and Diablo  
 4 Technologies, Inc.'s ("Diablo's") identified 91 terms. Since then, the parties have had numerous  
 5 discussions in hopes on narrowing the number of terms to be construed.

6 Pursuant to Local Rule 6.1, Netlist, Smart Storage, and Diablo stipulate to the following  
 7 modifications to the current claim construction schedule:

8	9	10	11
Current Date	Event	[Proposed] New Date	
N/A	Defendants to provide Netlist with list of 60 proposed terms to be construed (which should include the nine terms previously identified by Netlist); to be produced on a rolling basis, starting July 15, if possible.	Completed by July 16, 2014	12
July 11, 2014	Preliminary claim constructions and extrinsic evidence. P.L.R. 4-2.	July 28, 2014	13
July 22, 2014	Deadline to request leave to designate additional terms for construction. Judge Rogers's Standing Order in Patent Cases.	August 5, 2014	14
August 5, 2014	Joint Claim Construction and Prehearing Statement. P.L.R. 4-3.	August 19, 2014	15
September 4, 2014	Complete Claim Construction Discovery. P.L.R. 4-4.	No change	16
September 26, 2014	Opening Claim Construction Brief. P.L.R. 4-5(a).	No change	17
October 17, 2014	Responsive Claim Construction Brief. P.L.R. 4-5(b).	No change	18
October 24, 2014	Reply Claim Construction Brief. P.L.R. 4-5(c).	No change	19
November 14, 2014	Claim Construction Tutorial	No change	20
November 19, 2014	Claim Construction Hearing	No change	21

22 IT IS SO ORDERED.  
 23 DATED: JULY 14, 2014

24   
 25 YVONNE GONZALEZ ROGERS  
 26 U.S. DISTRICT COURT JUDGE