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 26 APPLE INC.

27 UNITED STATES DISTRICT COURT
 28 NORTHERN DISTRICT OF CALIFORNIA

29 DSS TECHNOLOGY MANAGEMENT,
 30 INC.,

31 Plaintiff,

32 v.

33 APPLE INC.,

34 Defendant.

CASE NO. 14-cv-05330 HSG

**JOINT STIPULATION AND
 ORDER REGARDING CROSS-
 MOTION TO STRIKE BRIEFING
 SCHEDULE AND HEARING DATE**

1 Pursuant to Civil Local Rules 6-1(b), 6-2, 7-1(a)(5), and 7-12, Plaintiff DSS Technology
2 Management, Inc. (“DSS”) and Defendant Apple Inc. (“Apple”), through their respective counsel
3 of record, hereby stipulate as follows regarding Apple’s upcoming cross-motion to strike:

4 WHEREAS, on January 16, 2019, the Court entered a Scheduling Order setting the
5 Dispositive Motion Hearing Deadline for October 31, 2019 at 2:00 p.m. (Dkt. 183);

6 WHEREAS, on August 1, 2019, the Court entered an order resetting the Dispositive
7 Motion Hearing Deadline from October 31, 2019 at 2:00 p.m. to December 19, 2019 at 2:00 p.m.;

8 WHEREAS, on August 9, 2019, the parties submitted a stipulation (Dkt. 238) to extend
9 the briefing schedule for the Dispositive and *Daubert* Motions, as follows:

EVENT	DEADLINE
Deadline for Dispositive Motions and Daubert Motions	October 17, 2019
Opposition to Dispositive Motions and Daubert Motions	November 14, 2019
Replies in Support of Dispositive Motions and Daubert Motions	December 5, 2019

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16 WHEREAS, on August 9, 2019, the Court granted the parties’ stipulation (Dkt. 239);

17 WHEREAS, on October 17, 2019, the parties filed Dispositive Motions and *Daubert*
18 Motions (Dkts. 258, 264, 265, 268);

19 WHEREAS, on October 17, 2019, each of the parties also filed a Motion to Strike certain
20 expert testimony (Dkts. 263, 270);

21 WHEREAS, on October 25, 2019, the parties submitted a stipulation (Dkt. 296) agreeing
22 to the same briefing schedule for the Motions to Strike as the Dispositive and *Daubert* Motions,
23 as well as the following briefing schedule for DSS’ Second Motion to Strike portions of
24 Dr. Fuja’s expert report regarding the claimed “server microcomputer” limitation as it relates to
25 the priority date of the Patent-in-Suit:

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EVENT	DEADLINE
Opposition to DSS' Motion to Strike	December 5, 2019
Reply in Support of DSS' Motion to Strike	December 12, 2019

WHEREAS, on October 31, 2019, the Court granted the parties' stipulation (Dkt. 304);

WHEREAS, on November 14, 2019, DSS filed an Opposition to Apple's Motion for Summary Judgment (Dkt. 315) and a Second Motion to Strike portions of Dr. Fuja's expert report regarding the claimed "server microcomputer" limitation as it relates to the priority date of the Patent-in-Suit (Dkt. 329);

WHEREAS, DSS submitted a declaration from Mr. Denning in support of DSS' Opposition to Apple's Motion for Summary Judgment and a Second Motion to Strike portions of Dr. Fuja's expert report regarding the claimed "server microcomputer" limitation as it relates to the priority date of the Patent-in-Suit (Dkt. 320);

WHEREAS, Apple intends to file a cross-motion to strike the declaration of Mr. Denning (Dkt. 320) regarding the claimed "server microcomputer" limitation as it relates to the priority date of the Patent-in-Suit, on December 5, 2019 ("Upcoming Cross-Motion to Strike");

WHEREAS, the Parties have agreed to the following briefing schedule for Apple's Upcoming Cross-Motion to Strike:

EVENT	DEADLINE
Opposition to Apple's Upcoming Cross-Motion to Strike	December 12, 2019
Reply in Support of Apple's Upcoming Cross-Motion to Strike	No written reply

WHEREAS, the Parties submit this briefing schedule so that, in the interest of efficiency, the Court may hear Apple's Upcoming Cross-Motion to Strike at the December 19, 2019 hearing on the Dispositive and *Daubert* Motions; and

1 WHEREAS, the briefing schedule and the December 19, 2019 hearing date for the
2 Upcoming Cross-Motion to Strike will not alter the date of any event or any deadline already set
3 by this Court in this case.

4 IT IS SO STIPULATED.

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6 Pursuant to Civil L.R. 5-1(i)(3), concurrence to the filing of this document was obtained
7 from Niky Bagley, counsel for DSS Technology Management, Inc., on November 21, 2019.

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9 Dated: November 21, 2019

DLA PIPER LLP (US)

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11 By /s/ Summer Torrez

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PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 11/22/2019

By 
HAYWOOD S. GILLIAM, JR.
United States District Judge