

1 MARK D. FOWLER (Bar No. 124235)
mark.fowler@us.dlapiper.com
 2 CLAYTON THOMPSON (Bar No. 291331)
clayton.thompson@us.dlapiper.com
 3 YAKOV M. ZOLOTOREV (Bar No. 224260)
jake.zolotorev@us.dlapiper.com
 4 SUMMER TORREZ (Bar No. 264858)
summer.torrez@us.dlapiper.com
 5 JONATHAN HICKS (Bar No. 274634)
jonathan.hicks@us.dlapiper.com
 6 ERIN MCLAUGHLIN (Bar No. 290853)
erin.mclaughlin@us.dlapiper.com
 7 **DLA PIPER LLP (US)**
 2000 University Avenue
 8 East Palo Alto, CA 94303-2214
 Tel: 650.833.2000
 9 Fax: 650.833.2001

10 ERIN P. GIBSON (Bar No. 229305)
erin.gibson@us.dlapiper.com
 11 SUSAN ACQUISTA (Bar No. 253969)
susan.acquista@us.dlapiper.com
 12 PETER MAGGIORE (Bar No. 292534)
peter.maggiore@us.dlapiper.com
 13 **DLA PIPER LLP (US)**
 401 B Street, Suite 1700
 14 San Diego, CA 92101-4297
 Tel: 619.699.2700
 15 Fax: 619.699.2701

16 Attorneys for Defendant
 17 APPLE INC.

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA

20 DSS TECHNOLOGY MANAGEMENT,
 21 INC.,

22 Plaintiff,

23 v.

24 APPLE INC.,

25 Defendant.

CASE NO. 14-cv-05330 HSG

**JOINT STIPULATION AND
 ORDER FOR EXTENSION TO SUBMIT
 JOINT SET OF PROPOSED JURY
 INSTRUCTIONS**

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”) (collectively, the “Parties”),
3 through their respective counsel of record, hereby stipulate as follows regarding the submission of
4 the joint set of proposed jury instructions:

5 WHEREAS, on January 16, 2019, the Court entered a Scheduling Order setting the
6 Pretrial Conference for January 28, 2020 at 3:00 p.m. and Jury Selection/Jury Trial for February
7 24, 2020 at 8:30 a.m. (Dkt. 183);

8 WHEREAS, on December 4, 2019, the clerk issued a notice that the Pretrial Conference,
9 previously set for January 28, 2020, is continued to February 4, 2020, at 3:00 p.m., but pretrial
10 filings are due based on the original not the continued pretrial conference date (Dkt. 357);

11 WHEREAS, pursuant to the Civil Pretrial And Trial Standing Order For Cases Before
12 District Judge Haywood S. Gilliam, Jr., January 14, 2020 is the deadline for the Parties to submit
13 to the Court a proposed joint set of jury instructions along with one-page explanations as to
14 disputed instructions;

15 WHEREAS, the Parties have met and conferred and agreed to extend the deadline for the
16 Parties to submit a proposed joint set of jury instructions along with one-page explanations as to
17 disputed instructions, by one week, to January 21, 2020;

18 WHEREAS, good cause exists to permit this one-week extension of the deadline to
19 submit a proposed joint set of jury instructions along with one-page explanations as to disputed
20 instructions. The Parties have been engaged in meet and confers, in order to reduce the number
21 of disputed instructions and accompanying explanations. The additional week will allow the
22 Parties to continue to engage in this process and further reduce the number of disputed
23 instructions and accompanying explanations for submission to this Court; and

24 WHEREAS, the one-week extension of the deadline to submit a proposed joint set of jury
25 instructions along with one-page explanations as to disputed instructions will not alter the date of
26 any event or any deadline already set by this Court in this case.

27 IT IS SO STIPULATED.

1 Pursuant to Civil L.R. 5-1(i)(3), concurrence to the filing of this document was obtained
2 from Niky Bagley, counsel for DSS Technology Management, Inc., on January 10, 2020.

3
4 Dated: January 10, 2020

DLA PIPER LLP (US)

5
6 By /s/ Summer Torrez

7 MARK D. FOWLER
8 CLAYTON THOMPSON
9 YAKOV M. ZOLOTOREV
10 ERIN P. GIBSON
11 SUSAN ACQUISTA
12 SUMMER TORREZ
13 JONATHAN HICKS
14 ERIN MCLAUGHLIN
15 PETER MAGGIORE

16 Attorneys for Defendant
17 APPLE INC.

18
19 Dated: January 10, 2020

BUETHER JOE & CARPENTER, LLC

20
21 By /s/ Niky Bagley


22 CHRISTOPHER M. JOE
23 ERIC W. BUETHER
24 BRIAN A. CARPENTER
25 NIKY BAGLEY
26 KENNETH KULA

27 Attorneys for Plaintiff
28 DSS Technology Management, Inc.

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

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 1/13/2020

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