

[COUNSEL OF RECORD IDENTIFIED IN SIGNATURE BLOCK]

**IN THE UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

SYNCHRONOSS TECHNOLOGIES, INC.,  Plaintiff,  v.  DROPBOX, INC.,  Defendant.	Case No. 4:16-cv-00119-HSG-KAW  <b>STIPULATED REQUEST FOR ORDER CHANGING TIME AND ORDER</b>  [CIVIL LOCAL RULE 6-2]  <b>Judge: Hon. Haywood S. Gilliam, Jr.</b>
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1 Plaintiff Synchronoss Technologies, Inc., (“Synchronoss”) and Defendant Dropbox, Inc.,  
2 (“Dropbox”) (collectively, the “Parties”) by and through their respective counsel and subject to  
3 the Court’s approval, stipulate as follows:

4 **WHEREAS**, on January 9, 2018, the Court issued a Scheduling Order setting a  
5 September 21, 2018 deadline for the Parties to complete fact discovery, and a November 9,  
6 2018 deadline for the Parties to serve their initial expert disclosures and reports (ECF 173);

7 **WHEREAS**, on September 24, 2018, the Court issued an Order granting the Parties’  
8 Stipulated Request to complete all then noticed depositions and any associated document  
9 production cleanup after the fact discovery cutoff and before October 18, 2018 (ECF 224);

10 **WHEREAS**, the Parties have noticed, scheduled, and taken a number of party and  
11 nonparty depositions in this matter, but have been unable to take all of the noticed  
12 depositions before the revised cutoff date of October 18, 2018 due to witness availabilities;

13 **WHEREAS**, Synchronoss’ economic expert will be at a hearing in another matter  
14 from November 1–6, 2018, and, therefore, unable to make the November 9, 2018 deadline  
15 for submission of her expert report;

16 **WHEREAS**, from October 4 through October 17, 2018, the Parties met and  
17 conferred to discuss the need for a further extension in the deadline for completing fact  
18 depositions, as well as an extension in the deadlines for expert discovery. Given these facts,  
19 the Parties believe there is good cause to allow the completion of the currently noticed  
20 depositions after the current cutoff date of October 18, 2018 and by November 9, 2018. The  
21 Parties further believe there is good cause to extend the deadline to serve their initial expert  
22 disclosures and reports from November 9, 2018 to November 20, 2018; This extension will  
23 not affect the April 5, 2019 deadline for the completion of expert discovery.

24 **WHEREAS**, there have been five prior time modifications in this case: (1) when the  
25 Court granted Synchronoss’ motion for an extension of time to respond to Dropbox’s  
26 original February 5, 2016 motion to dismiss (ECF 70, 71); (2) when the Court granted the  
27 Parties’ Stipulated Request for an extension of time for Dropbox to file its reply in support  
28 of the Motion to Dismiss (ECF 90, 91); (3) when the Court granted the Parties’ stipulated

request for an extension of time to submit their ESI Stipulation and Protective Order (ECF 121, 123); (4) when the Court granted the Parties' Stipulated Request to Extend the Document Production Deadline (ECF 186, 187); and (5) when the Court granted the Parties' Stipulated Request to Extend the Completion of Noticed Depositions Beyond the Close of Fact Discovery; (ECF 223, 224); and

**WHEREAS**, the Parties' requested extension will have no impact on the overall schedule for the cases, as the remaining deadlines in the Scheduling Order will be unaffected; the requested extension will leave the Parties ample time to complete expert discovery, and the brief extension will not prejudice any Party.

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, BY AND BETWEEN THE PARTIES THROUGH THEIR RESPECTIVE COUNSEL, THAT** subject to the Court's approval, the following new deadlines are set in this action:

Event	Current Deadline	New Deadline
Deadline to complete currently noticed depositions	October 18, 2018	November 9, 2018
Initial expert disclosures and reports due	November 9, 2018	November 20, 2018
Rebuttal expert disclosures and reports due	December 21, 2018	January 18, 2019
Should Plaintiff serve one or more rebuttal reports regarding objective indicia of non-obviousness, Defendant's responsive expert reports limited solely to objective indicia of non-obviousness	February 1, 2019	February 15, 2019

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1 Dated this 18th day of October, 2018.

2  
3 /s/ Sarah S. Eskandari

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27 *Attorneys for Defendant*  
28 *Dropbox, Inc.*

**FILER'S ATTESTATION:**

I, Sarah S. Eskandari, am the ECF user whose ID and password are being used to file the above **STIPULATED REQUEST FOR ORDER CHANGING TIME AND [PROPOSED] ORDER [CIVIL LOCAL RULE 6-2]**. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each listed counsel above has concurred in this filing.

Dated: October 18, 2018

By /s/ Sarah S. Eskandari  
SARAH S. ESKANDARI

**ORDER**

**THIS MATTER**, came before the Court on Plaintiff Synchronoss Technologies, Inc., Defendant Dropbox, Inc. (collectively, the “Parties”) Stipulated Request for Order Changing Time. The Court, having reviewed and considered the submitted papers in this matter and all relevant factual statements therein, hereby **GRANTS** the Parties’ Stipulated Request for Order Changing Time as follows:

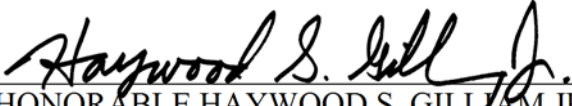
**PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that:**

The following new deadlines are set for the below noted events:

Event	Current Deadline	New Deadline
Deadline to complete currently noticed depositions	October 18, 2018	November 9, 2018
Initial expert disclosures and reports due	November 9, 2018	November 20, 2018
Rebuttal expert disclosures and reports due	December 21, 2018	January 18, 2019
Should Plaintiff serve one or more rebuttal reports regarding objective indicia of non-obviousness, Defendant’s responsive expert reports limited solely to objective indicia of non-obviousness	February 1, 2019	February 15, 2019

**IT IS SO ORDERED.**

DATED: October 22, 2018

  
HONORABLE HAYWOOD S. GILLIAM JR.  
UNITED STATES DISTRICT JUDGE