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[COUNSEL OF RECORD IDENTIFIED IN SIGNATURE BLOCK]

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

SYNCHRONOSS TECHNOLOGIES, INC.,

Case No. 4:16-cv-00119-HSG

Plaintiff,

**STIPULATED REQUEST FOR ORDER
CHANGING TIME AND ~~PROPOSED~~
ORDER**

v.

DROPBOX, INC.,

[CIVIL LOCAL RULE 6-2]

Defendant.

Judge: Hon. Haywood S. Gilliam, Jr.

Complaint Filed: March 27, 2015

Case Transferred: January 8, 2016

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 and October 22, 2018, the Court issued Orders
8 permitting currently noticed depositions to be completed by November 9, 2018, and extending
9 the deadline for the Parties to serve their initial expert disclosures and reports until November
10 20, 2018 (ECF 224; ECF 232);

11 **WHEREAS**, the Parties have noticed, scheduled, and taken a number of party and
12 nonparty depositions in this matter, but have been unable to take all of the noticed depositions
13 before the revised cutoff date of November 9, 2018 due to witness availabilities (including
14 family emergencies) and other factors (Declaration of D. Shayon Ghosh (“Ghosh Decl.”),
15 ¶ 5);

16 **WHEREAS**, on November 6 and 15, 2018, the parties have met and conferred over a
17 schedule for expert disclosures that does not change the date for completion of expert
18 discovery, but otherwise accommodates witness unavailability and the completion of fact
19 depositions (Ghosh Decl., ¶ 6);

20 **WHEREAS**, based on the foregoing, the Parties believe there is good cause to allow
21 the completion of the noticed fact depositions by November 29, 2018, which may include
22 cleanup document production related to the noticed depositions. The Parties further believe
23 there is good cause to extend the deadline to serve their initial expert disclosures and reports
24 from November 20, 2018 to December 3, 2018, and to extend the deadlines for further expert
25 disclosures and reports accordingly. This extension will not affect the April 5, 2019 deadline
26 for the completion of expert discovery (Ghosh Decl., ¶ 7);

27 **WHEREAS**, there have been six prior time modifications in this case: (1) when the
28 Court granted Synchronoss’ motion for an extension of time to respond to Dropbox’s original

1 February 5, 2016 motion to dismiss (ECF 70; ECF 71); (2) when the Court granted the Parties’
 2 Stipulated Request for an extension of time for Dropbox to file its reply in support of the
 3 Motion to Dismiss (ECF 90; ECF 91); (3) when the Court granted the Parties’ stipulated
 4 request for an extension of time to submit their ESI Stipulation and Protective Order (ECF
 5 121; ECF 123); (4) when the Court granted the Parties’ Stipulated Request to Change the
 6 Deadline for Document Production (ECF 186; ECF 187); (5) when the Court granted the
 7 Parties’ Stipulated Request to Complete Currently Noticed Depositions Beyond The Close Of
 8 Fact Discovery (ECF 223; ECF 224); and (6) when the Court granted the Parties’ Stipulated
 9 Request for Order Changing Time and Order (ECF 231; ECF 232);

10 **WHEREAS**, the Parties’ requested extension will have no impact on the schedule, as
 11 the remaining deadlines in the Scheduling Order will be unaffected (Ghosh Decl., ¶ 9).

12 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, BY AND**
 13 **BETWEEN THE PARTIES THROUGH THEIR RESPECTIVE COUNSEL, THAT,**
 14 subject to the Court’s approval, the following new deadlines are set in this action, all remaining
 15 deadlines to remain the same:

Event	Current Deadline	New Deadline
Deadline to complete currently noticed depositions	November 9, 2018	November 29, 2018
Initial expert disclosures and reports due	November 20, 2018	December 3, 2018
Rebuttal expert disclosures and reports due	January 18, 2019	January 28, 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 15, 2019	February 25, 2019

1 Dated this 16th day of November, 2018.
2

3 /s/ Sarah S. Eskandari

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3 /s/ D. Shayon Ghosh

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Attorneys for Defendant
Dropbox, Inc.

FILER'S ATTESTATION:

I, D. Shayon Ghosh, am the ECF user whose ID and password are being used to file the above **STIPULATED REQUEST FOR ORDER CHANGING TIME [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: November 16, 2018

By: /s/ D. Shayon Ghosh
D. SHAYON GHOSH

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1 **[PROPOSED] ORDER**

2 **THIS MATTER**, came before the Court on Plaintiff Synchronoss Technologies, Inc.
3 and Defendant Dropbox, Inc., (collectively, the “Parties”) Stipulated Request for Order
4 Changing Time. The Court, having reviewed and considered the submitted papers in this
5 matter and all relevant factual statements therein, hereby **GRANTS** the Parties’ Stipulated
6 Request for Order Changing Time as follows:
7

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


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

Event	Current Deadline	New Deadline
Deadline to complete currently noticed depositions	November 9, 2018	November 29, 2018
Initial expert disclosures and reports due	November 20, 2018	December 3, 2018
Rebuttal expert disclosures and reports due	January 18, 2019	January 28, 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 15, 2019	February 25, 2019

19 //

21 **IT IS SO ORDERED.**

23 DATED 11/19/2018

24 
HONORABLE HAYWOOD S. GILLIAM JR.
UNITED STATES DISTRICT JUDGE