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 FIRST DATABANK, INC.

15 Attorneys for Plaintiff
 16 EXELTIS USA, INC.

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

20 EXELTIS USA, INC., a New Jersey Corporation,
 21 Plaintiff,
 22 v.
 23 FIRST DATABANK, INC., a Missouri
 Corporation,
 24 Defendant.
 25

Case No. 4:17-cv-04810-HSG-SK

**STIPULATION AND ORDER
 REGARDING SCHEDULE**

1 Pursuant to Local Rules 6-2 and 7-12, the parties hereby stipulate to the following:

2 On February 8, 2019, the parties filed a joint discovery letter with Magistrate Judge Kim
3 regarding Exeltis’s request for First Databank to add additional custodians and search terms to its
4 discovery protocol. ECF 133. Following a hearing, Judge Kim granted Exeltis’s request in part and
5 ordered First Databank to review and produce documents from three additional custodians. ECF
6 144. Pursuant to Judge Kim’s order, the parties have agreed on a schedule for First Databank to
7 produce documents from these additional custodians; specifically, First Databank has agreed to
8 make rolling production of documents to be completed by April 15. As a result of these
9 supplemental productions, it became necessary to reschedule certain depositions of First Databank
10 employees. Those depositions are now scheduled and will be completed by May 1.

11 In light of the slight enlargement of time necessary to complete fact depositions, the parties
12 respectfully request that the Court enter the attached order setting forth the following revised
13 discovery and briefing schedule:

Event	Current Date	Proposed Date
Initial Expert Disclosures	May 3, 2019	May 17, 2019
Rebuttal Expert Disclosures	May 17, 2019	May 28, 2019
Close of Expert Discovery	May 31, 2019	June 12, 2019
Summary Judgment Motions	June 12, 2019	June 21, 2019
Summary Judgment Oppositions	[Unscheduled]	July 26, 2019
Summary Judgment Replies	[Unscheduled]	August 9, 2019

21 On May 1, 2018, the Court entered a stipulated discovery schedule. *See* ECF 82. Pursuant to
22 stipulations, the Court has entered amended discovery schedules on July 27, 2018; October 17, 2018;
23 and January 22, 2019. *See* ECF 86, 111, 122.

24 DATED: March 21, 2019

25 Respectfully submitted,

26
27 By: /s/ Benjamin M. Mundel
Attorney for Exeltis USA, Inc.

By: /s/Ravi v. Sitwala
Attorney for First Databank, Inc.

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1 **SIGNATURE ATTESTATION**

2 I am the ECF User whose identification and password are being used to file the foregoing
3 Stipulation and [Proposed] Order Regarding Briefing Schedule. In compliance with Local Rule 5-
4 1(i)(3), I hereby attest that the other signatories have concurred in this filing.

5 DATED: March 21, 2019

SIDLEY AUSTIN LLP

6 By: /s/ Benjamin M. Mundel
7 Benjamin M. Mundel
8 Attorney for Exeltis USA, Inc.

1 **ORDER**

2 Pursuant to the foregoing stipulation of the parties and good cause appearing, it is hereby
3 ORDERED as followed:

- 4 1. The above stipulation is GRANTED.
5 2. The Court ORDERS the following schedule:

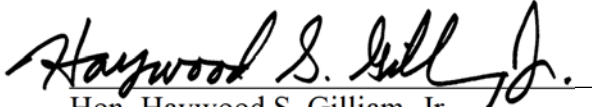
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15 PURSUANT TO STIPULATION, IT IS SO ORDERED

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17 Dated: March 22, 2019

18 
19 Hon. Haywood S. Gilliam, Jr.
20 United States District Judge