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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
24 Corporation,
25 Defendant.

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

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING SCHEDULE**

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

2 On June 21, 2019, First Databank filed a motion for summary judgment and motions to
3 exclude the testimony of two expert witnesses offered by Exeltis. See ECF 168–70. By the Court’s
4 prior order, Exeltis’s opposition to the motion for summary judgment is due on July 26, 2019, see
5 ECF 155; and under Local Rule 7-3(a), Exeltis’s oppositions to the two motions to exclude are due
6 on July 5, 2019. All three motions are noticed for November 7, 2019.

7 To provide both parties sufficient time to brief these matters, the parties respectfully request
8 that the Court extend the deadline for Exeltis to respond to all three motions to **August 16, 2019**; and
9 additionally for the Court to extend First Databank’s deadline to file any replies in support of these
10 motions to **September 20, 2019**.

11 On May 1, 2018, the Court entered a stipulated discovery schedule. See ECF 82. Pursuant to
12 stipulations, the Court has entered amended discovery schedules on July 27, 2018; October 17, 2018;
13 January 22, 2019; and March 22, 2019. See ECF 86, 111, 122, 155.

14 DATED: June 27, 2019

15 Respectfully submitted,

16
17 By: /s/ Benjamin M. Mundel
Attorney for Exeltis USA, Inc.

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

20 **SIGNATURE ATTESTATION**

21 I am the ECF User whose identification and password are being used to file the foregoing
22 Stipulation and [Proposed] Order Regarding Briefing Schedule. In compliance with Local Rule 5-
23 1(i)(3), I hereby attest that the other signatories have concurred in this filing.

24 DATED: June 28, 2019

25 SIDLEY AUSTIN LLP

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

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~~PROPOSED~~ ORDER


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

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

Event	Proposed Date
Exeltis's deadline to respond to First Databank's three pending motions ECF 168-70	August 16, 2019
First Databank's deadline to file replies in support of these three pending motions ECF 168-70	September 20, 2019

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: June 28, 2019


Hon. Haywood S. Gilliam, Jr.
United States District Judge