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5 Attorneys for Defendant,
 6 CROWN RING, INC.

7
 8 **IN THE UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10 TRENT WEST,
 11
 12 Plaintiff,
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 14 v.
 15 JEWELRY INNOVATIONS, INC.,
 16 TOSYALI INERNATIONAL, INC.,
 17 (d.b.a. BENCHMARK), DIAMOND
 NORTHSTAR, INC., (d.b.a.
 TUNGSTEN MAGNUM), A JAMAIS
 DESIGNS, INC. (d.b.a. INFINITY
 RINGS), and CROWN RING, INC.,
 18 Defendants,

CASE NO. C 07-1812-JF (HRL)
 ORDER APPROVING
**STIPULATION BETWEEN PLAINTIFF
 TRENT WEST AND DEFENDANT
 CROWN RING, INC. TO PERMIT
 ENTRY OF CROWN RING, INC.’S
 FIRST AMENDED PRELIMINARY
 INVALIDITY CONTENTIONS FOR
 GOOD CAUSE UNDER PATENT L.R. 3-7**

19
 20 and Related Counterclaims

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21
 22 Defendant Crown Ring, Inc. (“Crown Ring”), by and through its undersigned counsel
 23 of record, and Plaintiff Trent West (“West”), by and through his undersigned counsel of
 24 record, have agreed and stipulate under Civil L.R. 7-12 that good cause exists under Patent
 25 L.R. 3-7 to permit entry of Crown Ring’s First Amended Preliminary Invalidation Contentions,
 26 which are submitted herewith for the Court’s review. A similar reciprocal stipulation seeking
 27 to permit entry of West’s Amended Infringement Contentions was already filed with the Court

1 on October 28, 2008 by West and entered by this Court on November 4, 2008.

2 Fact discovery has progressed towards closing on December 5, 2008, and expert reports
3 by the party with the burden of proof on an issue are to be served by November 25, 2008.
4 Documents have been produced by the parties, and fact witness depositions have been taken.
5 While additional production and depositions may occur before the close of discovery, West
6 and Crown believe it is prudent, fair and justified to permit amendment to their infringement
7 and invalidity contentions for good cause in order to prepare for filing of expert reports and to
8 facilitate their supplemental responses to certain contention interrogatories before the close of
9 fact discovery. Thus, West and Crown seek leave of the Court, based upon this stipulation as
10 to good cause, to permit amendment of their infringement and invalidity contentions to
11 conform their contentions to the evidence which has been made of record thus far in this
12 matter.

13 West and Crown have agreed that the scope of their stipulation for good cause under
14 Patent L.R. 3-7 shall extend only to permitting entry of amendments based upon or arising
15 from the content of evidence which has been made of record through production of documents
16 or fact witness depositions.

17 Accordingly, West and Crown request that the Court issue an Order, for good cause
18 shown, permitting entry of Crown Ring's First Amended Preliminary Invalidity Contentions,
19 which have been submitted herewith for the Court's review. West's counsel has reviewed
20 these contentions and confirms that Crown Ring's amendments conform to the scope of the
21 parties' above articulated agreement. West's similar reciprocal First Amended Infringement
22 Contentions were already filed with the Court on October 28, 2008.

23
24 KING & KELLEHER
25 By: /s/Alvin B. Lindsay
Alvin B. Lindsay
26 Attorneys for Plaintiff Trent West

TROJAN LAW OFFICES
By: /s/R. Joseph Trojan
R. Joseph Trojan
26 Attorneys for Defendant Crown Ring, Inc.

27 Date: November 13, 2008

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PURSUANT TO STIPULATION, IT IS SO ORDERED that Crown Ring's First Amended Preliminary Invalidity Contentions shall be deemed entered based upon good cause appearing therefor under Patent L.R. 3-7.

DATED: November 14, 2008



Hon. Jeremy Fogel
Judge, U.S. District Court – N.D. Cal.