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15 Attorneys for Defendants
 16 MORGAN, LEWIS & BOCKIUS LLP
 and THOMAS D. KOHLER

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN JOSE DIVISION

20 LANDMARK SCREENS, LLC, a Delaware
 21 Limited Liability Company,

22 Plaintiff,

23 v.

24 MORGAN, LEWIS & BOCKIUS, LLP, a
 limited liability partnership; and THOMAS D.
 25 KOHLER, an individual,

26 Defendants.

Case No. 5:08-cv-2581 JF (HRL)

**STIPULATION AND ~~{PROPOSED}~~
 ORDER TO EXTEND FACT
 DISCOVERY DEADLINE FOR
 PURPOSE OF COMPLETING
 PREVIOUSLY NOTICED DEPOSITIONS**

Judge: Hon. Jeremy Fogel
 Courtroom 3

Complaint Filed: May 21, 2008
 Trial Date: None set

1 This stipulation is entered into by and between Plaintiff Landmark Screens, LLC
2 (“Landmark”) and Defendants Morgan, Lewis & Bockius LLP (“MLB”) and Thomas D. Kohler
3 (collectively with MLB, “Defendants”) as follows:

4 WHEREAS, on May 14, 2010, the Court set an August 26, 2010 fact discovery cut-off and
5 scheduled a Case Management Conference for September 10, 2010;

6 WHEREAS, on August 13, 2010, the Court continued the September 10, 2010 Case
7 Management Conference to September 17, 2010;

8 WHEREAS, on July 6, 2010, Defendants filed a Motion to Compel Fed. R. Civ. P.
9 30(b)(6) Designations and Testimony of Landmark (“Defendants’ Motion to Compel”);

10 WHEREAS, on August 13, 2010, Magistrate Judge Howard Lloyd, granting in part and
11 denying in part Defendants’ Motion to Compel, ordered Landmark to designate a Rule 30(b)(6)
12 witness to testify on 13 deposition topics (the “Magistrate’s Order”);

13 WHEREAS, on or before August 27, 2010, Landmark intends to file objections to the
14 Magistrate’s Order;

15 WHEREAS, until resolution of Landmark’s objections to the Magistrate’s Order, the
16 parties do not know what additional Rule 30(b)(6) deposition testimony Landmark will be
17 required to present;

18 WHEREAS, MLB has designated two witnesses for Rule 30(b)(6) depositions in
19 Philadelphia, and Landmark has noticed the deposition of an additional MLB witness located in
20 Philadelphia;

21 WHEREAS, due to scheduling conflicts, the parties have been unable to schedule the
22 Philadelphia depositions until October 13-14, 2010;

23 WHEREAS, Landmark has noticed the deposition of a former MLB partner in San
24 Francisco;

25 WHEREAS, due to scheduling conflicts, the parties were unable to schedule the San
26 Francisco deposition for July or August 2010 and are currently attempting to schedule the
27 deposition for a date in September 2010; and
28

1 WHEREAS, the parties require additional time to complete these previously noticed
2 depositions and agree that an extension of the fact discovery deadline for the purpose of
3 completing these depositions is warranted given that the Philadelphia depositions are scheduled
4 for October 13-14, 2010, the deposition of a former MLB partner in San Francisco has yet to be
5 scheduled, and, until resolution of Landmark's objections to the Magistrate's Order, it is uncertain
6 what additional Rule 30(b)(6) deposition testimony Landmark will be required to present.

7 NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE, through
8 their respective counsel of record, that:

9 1) The fact discovery deadline shall be extended to October 21, 2010 for the purpose
10 of completing the previously noticed depositions listed above;

11 2) Should the parties be unable to complete these depositions prior to October 21,
12 2010, despite best efforts to coordinate scheduling, the fact discovery cut-off shall be further
13 extended as necessary for that limited purpose; and

14 3) The Case Management Conference currently scheduled for September 17, 2010
15 shall remain on calendar.

16 IT IS SO STIPULATED.

17 DATED: August 26, 2010

HAYNES AND BOONE, LLP

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19 By: /s/ Clark S. Stone

Clark S. Stone
Attorneys for Plaintiff
LANDMARK SCREENS, LLC

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21
22 DATED: August 26, 2010

KEKER AND VAN NEST LLP

23
24 By: /s/ Steven P. Ragland

Steven P. Ragland
Attorneys for Defendants
MORGAN, LEWIS & BOCKIUS LLP and
THOMAS D. KOHLER

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26
27 *Filer's Attestation: Pursuant to General Order*
28 *No. 45, Section X.B. regarding non-filing*
signatories, Clark S. Stone hereby attests that
concurrence in the filing of this Stipulation has
been obtained from Steven P. Ragland

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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: August 27, 2010



HON. JEREMY FOGEL
United States District Judge