Facebook, Inc. v. Guerbuez et al

Doc. 24 Case 5:05-cv-01114-JW Document 22 Filed 06/21/2005 Page 1 of 3 1 2 3 4 5 6 7 IN THE UNITED STATES DISTRICT COURT 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA 9 SAN JOSE DIVISION 10 11 Acacia Media Technologies Corporation, NO. C 05-01114 JW 12 Plaintiff, **ORDER FOLLOWING CASE** MANAGEMENT CONFERENCE v. 13 New Destiny Internet Group, et al., 14 Defendant(s). 15 16 And All Related and/or Consolidated Case Actions 17 18 The Court conducted a case management conference on June 14, 2005. Counsels for the 19 Plaintiff and counsels for all Defendants were present. Defendants from the Central District and the 20 Arizona District appeared telephonically. 21 As to pending motions, the parties stipulated to the following: With respect to the "Adult Entertainment Cases", Plaintiff voluntarily withdraws its 22 1) Motion for Certification of a Defendant Class Action. 23 24 2) With respect to the "Cable/Satellite Cases", Defendants Cable America Corporation, 25 Cable One, Inc., and NPG Cable, Inc., voluntarily withdraw their Motions for More Definite Statement. 26 The Plaintiff and Defendants from the Northern District of Ohio and Minnesota 27 3) 28 stipulated to Defendants' Motion to Add Counterclaims.

**United States District Court** For the Northern District of Californi

1	4) Plaintiff's Motion for Clarification of the Role of Rainer Schulz was discussed. The				
2	Court has issued a separate Order proposing to amend the terms of appointment and				
3	allowing the parties a period of time to make any objections.				
4	5) Plaintiff's Motion for Consolidation is deemed moot in light of the MDL order.				
5	In light of the MDL order, the Court invites any party who wishes to file a Motion for				
6	Reconsideration of the Court's Markman Order issued on July 12, 2004 to do so in accordance with				
7	the schedule set forth below. In the motion, the party shall identify the terms for which reconsideration				
8	is sought and any additional terms in the 992 and 702 patents that should be defined. A hearing is set				
9	for September 8 and 9, 2005, from 9 a.m. to 4 p.m. Pursuant to the Local Patent Rules of Court, all				
10	parties shall:				
11	1)	No later than <b>July</b> 2	29, 2005 serve on all other parties	Proposed Terms and Claim	
12	Elements for Construction pursuant to Patent L.R. 4-1 and Preliminary Claim				
13	Constructions and Extrinsic Evidence pursuant to Patent L.R. 4-2.				
14	2) No later than <b>August 25, 2005</b> file a Joint Claim Construction Statement and				
15	Prehearing Statement pursuant to Patent L.R. 4-3. The statement shall be presented in				
16	the following chart format:				
17 18	Disputed Ter	rm	Plaintiff's Proposed Construction	Defendant's Proposed Construction	
19	The parties shall express their proposed construction in a manner suitable for incorporation into a jury				
20	instruction.				
21	For future case management conference, parties wishing to appear telephonically shall meet				
22	and confer and set up their own conference call in number. The parties shall notify the Courtroom				
23	Deputy Clerk, Mr. Ron Davis, three days prior to the date of conference.				
24	None of the dates set in this Order may be changed without an order of the Court made after a				
25	motion is duly filed and made pursuant to the Local Rules of this Court.				
26	Dated: June 21, 2005 /s/ James Ware JAMES WARE				
27	JAMES WARE United States District Judge				
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## 1 THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

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	Dated: June 21, 2005	<b>Richard W. Wieking, Clerk</b>			
21	,	6/			
22		By: /s/ JW Chambers			
• •		Ronald L. Davis			
23		Courtroom Deputy			
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