

E-FILED 06-18-2010

1 Linda S. DeBruin
 (Admitted to this Court on September 27,1991)
 2 Aaron D. Charfoos (*pro hac vice*)
 Maria A. Maras (*pro hac vice*)
 3 Meredith Zinanni (*pro hac vice*)
 KIRKLAND & ELLIS LLP
 4 300 North LaSalle
 Chicago, Illinois 60654
 5 Telephone: (312) 862-2000
 Facsimile: (312) 862-2200
 6 Email: linda.debruin@kirkland.com
 Email: aaron.charfoos@kirkland.com
 7 Email: maria.maras@kirkland.com
 Email: meredith.zinanni@kirkland.com

8 Marc H. Cohen (CA Bar No. 168773)
 9 KIRKLAND & ELLIS LLP
 950 Page Mill Road
 10 Palo Alto, CA 94304
 Telephone: (650) 859-7000
 11 Facsimile: (650) 859-7500
 Email: marc.cohen@kirkland.com

12 *Attorneys for Defendants and Counterclaim Plaintiffs*
 13 RESEARCH IN MOTION LIMITED and
 RESEARCH IN MOTION CORPORATION

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN JOSE DIVISION

17 MFORMATION TECHNOLOGIES, INC., a
 Delaware corporation,

18 Plaintiff and Counterclaim Defendant,

19 v.

20 RESEARCH IN MOTION LIMITED, a
 21 Canadian corporation

22 AND

23 RESEARCH IN MOTION CORPORATION,
 24 a Delaware corporation,

25 Defendants and Counterclaim Plaintiffs.

Case No. 5:08-CV-04990-JW

Jury Trial Demanded

**STIPULATION AND ~~PROPOSED~~ ORDER
 PURSUANT TO CIV. L.R. 6-1(b), 6-2, AND
 7-12 TO CHANGE DATES FOR HEARINGS
 ON MOTIONS TO COMPEL (DOCKET
 NUMBERS 161, 165, AND 192)**

Magistrate Judge Howard R. Lloyd

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 27
 28 Stipulation and ~~Proposed~~ Order Pursuant to Civ. L.R.
 6-1(b), 6-2, and 7-12 to Change Dates for Hearings
 on Motions to Compel (Docket Numbers 161, 165,
 and 192)

Case No. 5:08-CV-04990-JW

1 Plaintiff Mformation Technologies, Inc. (“Mformation”) and Defendants Research In Motion
2 Ltd. and Research In Motion Corp. (collectively, “RIM”) jointly request that this Court reset and
3 consolidate the hearings on the three motions to compel currently pending before this Court:

- 4 • Mformation’s Notice of Motion and Motion to Compel RIM 30(b)(6) Deposition
5 Testimony (Dkt. 161);
- 6 • RIM’s Notice of Motion and Motion to Compel Mformation to Withdraw Improper
7 Claims of Privilege (Dkt. 165); and
- 8 • Mformation’s Notice of Motion and Motion to Compel (1) Depositions of Jim
9 Balsillie and Mike Lazaridis and (2) De-Designation of Emails Containing Non-
10 Confidential Information (Dkt. 192) (“Motion to Compel Depositions and De-
11 Designation”).

12 The parties request that the hearings on these three motions be scheduled for 10:00 a.m. on Tuesday,
13 August 3, 2010. The parties further request that the briefing schedule for Mformation’s Motion to
14 Compel Depositions and De-Designation (Dkt. 192) be in accordance with the Civil Local Rules.

15 Mformation and RIM request that the hearings be consolidated to allow them to prepare for
16 and focus on the hearing on RIM’s motion for summary judgment of invalidity (Dkt. 142) that is set
17 for June 28, 2010 and the settlement conference that is set for July 2, 2010. The parties request that
18 the July 20, 2010 hearing be reset due to the unavailability of Mformation’s counsel on that date.

19 There have been four prior modifications of time in this case:

20 1. On November 20, 2008, the parties stipulated to a 29-day extension of time for RIM
21 to respond to Mformation’s original Complaint. Judge Ware approved this stipulation on November
22 25, 2008. (Dkt. 12.);

23 2. On January 7, 2009, the parties stipulated to an extension of time giving RIM until
24 January 27, 2009, to answer Mformation’s First Amended Complaint, and giving RIM an additional
25 four weeks beyond the time specified in the Patent Local Rules in which to serve their invalidity
26 contentions and disclosures per Patent L.R. 3-3 and 3-4. Judge Ware approved this stipulation on
27 January 16, 2009. (Dkt. 30);

1 3. On September 4, 2009, the parties stipulated to an extension of time giving RIM until
2 September 15, 2009, to answer Mformation's Third Amended Complaint, and giving Mformation
3 until September 30, 2009, in which to answer both that September 15 filing and RIM's First
4 Amended Answer, Defenses, and Counterclaims. Judge Ware approved this stipulation on
5 September 16, 2009. (Dkt. 77); and

6 4. On September 29, 2010, the parties stipulated to an extension of time resetting the
7 Tutorial to November 19, 2009 and the Claim Construction hearing to November 20, 2009. Judge
8 Ware approved this stipulation on September 30, 2009. (Dkt. 83.)

9 The present modifications will not adversely impact the case schedule.

10 For the foregoing reasons, Mformation and RIM jointly request that this Court consolidate
11 and reset the hearings on all three pending motions to compel (Dkt. 161; Dkt. 165; and Dkt. 192) to
12 10:00 a.m. on Tuesday, August 3, 2010. They further request that the briefing schedule for
13 Mformation's Motion to Compel Depositions and De-Designation (Dkt. 192) be in accordance with
14 the Civil Local Rules.

1
2 Filer's Attestation: Pursuant to General Order no. 45, Section X(B) regarding signatures,
3 Maria A. Maras hereby attests that concurrence in the filing of this document has been obtained.

4 DATED: June 17, 2009

KIRKLAND & ELLIS LLP
Respectfully submitted,

5
6 /s/ Maria A. Maras
Maria A. Maras

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14 Chicago, Illinois 60654
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16 Facsimile: (312) 862-2200
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18 Email: aaron.charfoos@kirkland.com
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20 Email: meredith.zinanni@kirkland.com

21
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23 KIRKLAND & ELLIS LLP
24 950 Page Mill Road
25 Palo Alto, CA 94304
26 Telephone: (650) 859-7000
27 Facsimile: (650) 859-7500
28 Email: marc.cohen@kirkland.com

Attorney for Defendants and Counterclaim Plaintiffs
Research In Motion Limited and Research In Motion
Corporation

21 Dated: June 17, 2010


FOLEY & LARDNER LLP

23 By: /s/ Amar L. Thakur _____
24 Amar L. Thakur
25 Shawn E. McDonald
26 Gina A. Bibby
27 Justin E. Gray
28 Attorneys for Mformation Technologies, Inc.

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PURSUANT TO STIPULATION, IT IS SO ORDERED

Date: _____ June 18, 2010



Howard R. Lloyd
United States Magistrate Judge