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 (Admitted to this Court on September 27,1991)  
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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,  
 21 a 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  
 REGARDING DISPOSITIVE MOTION  
 BRIEFING SCHEDULE**

1 Pursuant to this Court's Order Setting Hearing For Motions; Denying Defendants' Request  
2 For A Case Management Conference As Moot (Dkt. 507), Plaintiff and Counterclaim Defendant  
3 Mformation Technologies, Inc. ("Mformation") and Defendants and Counterclaim Plaintiffs  
4 Research In Motion Limited and Research In Motion Corporation (collectively, "RIM") jointly  
5 stipulate to the following briefing schedule in advance of the hearing set for September 26, 2011:

6 1. RIM will file the following motions for summary judgment described in the Request  
7 for Case Management Conference Regarding RIM's Dispositive Motions (Dkt. 500):

- 8 a. RIM's Motion For Summary Judgment That Claims 1, 4-6, 21-25, And 27 of  
9 U.S. Patent No. 6,970,917 Are Invalid Under 35 U.S.C. § 112;
- 10 b. RIM's Motion For Summary Judgment That U.S. Patent No. 6,970,917 Is Not  
11 Entitled To Claim Priority To U.S. Prov. Patent Appl. 60/251,034 And That  
12 Claim 1 Of The '917 Patent Is Invalid Under 35 U.S.C. § 102;
- 13 c. RIM's Motion For Summary Judgment of No Infringement By RIM;
- 14 d. RIM's Renewed Motion For Summary Judgment Of No Infringement Under  
15 The Doctrine Of Equivalent; and
- 16 e. RIM's Motion For Summary Judgment That Mformation Cannot Recover  
17 Any Damages For Alleged Infringement Occurring Before October 27, 2008.

18 2. Mformation will file the following motions for summary judgment described in the  
19 Request for Case Management Conference Regarding Mformation's Dispositive Motions (Dkt. 501):

- 20 a. Mformation's Motion for Summary Judgment of No Laches;
- 21 b. Mformation's Motion for Summary Judgment of No Prior Public Use Under  
22 35 U.S.C. § 102;
- 23 c. Mformation's Motion for Summary Judgment of No Anticipation under 35  
24 U.S.C. § 102;
- 25 d. Mformation's Motion for Summary Judgment of No Indefiniteness, No Lack  
26 of Written Description, and No Lack of Enablement Under 35 U.S.C. § 112;  
27 and
- 28 e. Mformation's Motion for Summary Judgment of No Inequitable Conduct.

1           3.       Opening briefs for each of the motions for summary judgment listed in paragraphs 1  
2 and 2 will be filed on July 11, 2011.

3           4.       Opposition briefs for each of the motions for summary judgment listed in paragraphs  
4 1 and 2 will be filed on August 1, 2011.

5           5.       Reply briefs for each of the motions for summary judgment listed in paragraphs 1 and  
6 2 will be filed on August 15, 2011.

7 DATED: June 29, 2011

FOLEY & LARDNER LLP

8  
9 By: /s/ Amar L. Thakur  
10 Amar L. Thakur  
11 Shawn E. McDonald  
12 Allen A. Arntsen  
13 Lisa M. Noller  
14 Justin E. Gray

*Attorneys for Mformation Technologies, Inc.*

13 DATED: June 29, 2011

KIRKLAND & ELLIS LLP

15 By: /s/ Maria A. Maras  
16 Linda S. DeBruin  
17 Mark H. Cohen (CA Bar No. 168773)  
18 Aaron D. Charfoos  
19 Meredith Zinanni  
20 Maria A. Maras

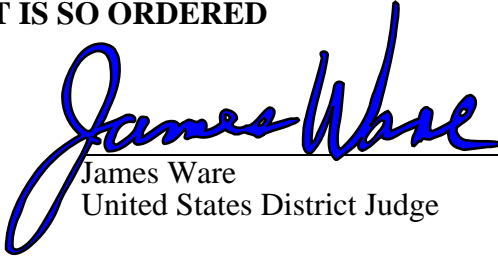
*Attorneys for Research In Motion Limited and  
Research In Motion Corporation*

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

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**PURSUANT TO STIPULATION, IT IS SO ORDERED**

Date: June 30 \_\_\_\_\_, 2011

  
James Ware  
United States District Judge

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on June 29, 2011 a copy of the foregoing was filed electronically  
3 through the Court's CM/ECF system, with notice of case activity automatically generated and sent  
4 electronically to all parties.

5  
6 DATED: June 29, 2011

KIRKLAND & ELLIS LLP  
Respectfully submitted,

7  
8 /s/ John Kanive

John Kanive  
Intellectual Property Legal Assistant

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22 *Research In Motion Limited and Research In Motion*  
23 *Corporation*  
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