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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

AVAGO TECHNOLOGIES FIBER IP
(SINGAPORE) PTE. LTD., et al.,

Plaintiffs,

v.

IPTRONICS INC., et al.,

Defendants.

Case No. [5:10-cv-02863 EJD](#)

**ORDER VACATING CASE
MANAGEMENT CONFERENCE**

Having reviewed the parties' Joint Case Management Statement filed on January 29, 2015 (Docket Item No. 513), the court finds that a scheduling conference is unnecessary at this time. Accordingly, the Case Management Conference scheduled for February 5, 2015, is VACATED, and the parties shall comply with the following orders:

1. Under these circumstances, the Mellanox defendants will not be considered new parties, but rather have entered this action in place of IPtronics and take over the defense where IPtronics left off. See Not. of Change of Party Name, Docket Item No. 374. Accordingly, the court will not permit further claim construction proceedings, and the parties should focus their efforts on completing discovery and preparing dispositive motions.

2. The court adopts the parties' modifications to the presumptive limits on discovery set forth in the Federal Rules of Civil Procedure, specifically that each party may serve up to 35 interrogatories, including subparts, and that each party or group of related parties may conduct up

1 to twenty depositions. Again, since the Mellanox defendants are not new parties, they take over
2 discovery where IPtronics left off, and any discovery taken by IPtronics prior to the Mellanox
3 defendants entering this action will be counted against the Mellanox defendants. Additionally,
4 since the parties have agreed to use the discovery obtained in the ITC investigation in this action,
5 any deposition taken in the ITC investigation counts against the 20-deposition limit in this case.

6 3. In light of the preceding orders, the parties shall file on or before **February 10,**
7 **2015**, a stipulation and proposed order with revised scheduling deadlines since the parties' current
8 proposal anticipates additional claim construction proceedings. The schedule proposed by the
9 parties should commence with a re-setting of the Trial Setting Conference (formerly Preliminary
10 Pretrial Conference, see § III(C) of the undersigned's Standing Order for Civil Cases) and should
11 conclude before the end of 2015.

12 **IT IS SO ORDERED.**

13 Dated: February 3, 2015

14 
15 EDWARD J. DAVILA
16 United States District Judge