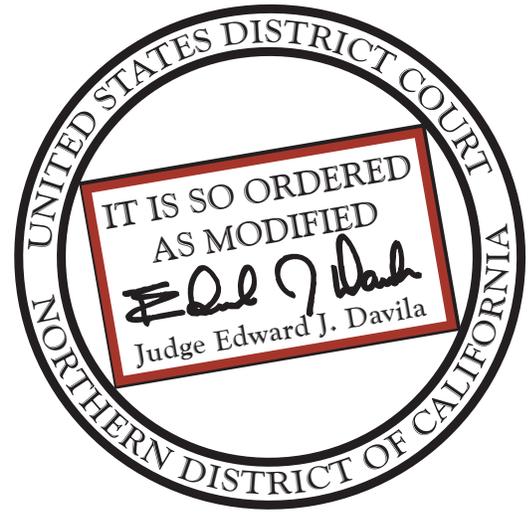


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16 UNITED STATES DISTRICT COURT
 17 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 18 SAN JOSE DIVISION

19 APPLE INC., a California corporation,
 20 Plaintiff,
 21 v.
 22 SANHO CORPORATION, a Delaware
 Corporation, and DOES 1 through 20,
 23 inclusive,
 Defendants.

Civil Action No. CV10-04042 (EJD)

**STIPULATION AND REQUEST TO
 AMEND CASE MANAGEMENT
 SCHEDULE**

DEMAND FOR JURY TRIAL



Pursuant to Civil L.R. 7-1(a)(5) and 7-12, Plaintiff Apple Inc. (“Apple”) and Defendant Sanho Corporation (“Sanho”) (collectively, the “Parties”) stipulate to and respectfully request that the Court reschedule the Case Management Statement deadline and all other deadlines currently set in this matter.

STIPULATION

WHEREAS, the Parties believe that they have reached an agreement that will settle this patent infringement case in its entirety, and are currently in the process of drafting settlement terms with the intent of confirming whether an agreement has indeed been reached;

WHEREAS, the Parties believe that their efforts should be focused on settlement and that preparing further court filings prior to settlement may result in unnecessary costs and fees as well as wasted judicial effort;

WHEREAS, on April 25, 2011, the Court issued a Reassignment Order (ECF No. 33), indicating that this matter has been reassigned to Judge Davila and that an updated Joint Case Management Statement is required;

WHEREAS, on December 14, 2010, the Court issued a Patent Scheduling Order (ECF No. 29), and certain deadlines set by the Patent Scheduling Order are approaching;

ACCORDINGLY, Apple and Sanho hereby stipulate to and respectfully request that the Court amend the schedule in the following manner:

<u>Event</u>	<u>Current Deadline</u>	Proposed <u>Amended Deadline</u>
Deadline to file Joint Case Management Statement	May 5, 2010 (ECF No. 33 at p. 2 ¶ 10)	September 20, 2011
Patent L.R. 4-2 Exchange of Preliminary Claim Constructions and Extrinsic Evidence	May 13, 2010 (by agreement of the parties)	June 13, 2011
Joint Claim Construction and Prehearing Statement	May 23, 2011 (ECF No. 29 at p. 1, l. 24)	June 23, 2011
Close of Claim Construction Discovery	June 20, 2011 (ECF No. 29 at p. 1, l. 25)	July 20, 2011
Interim Case Management Conference	Vacated (ECF No. 33 at p. 1, ¶ 6) (prior to ECF No. 33, CMC was set for July 11, 2011 by ECF No. 29 at p. 1, l. 26)	September 30, 2011 at 10:00 a.m.



<u>Event</u>	<u>Current Deadline</u>	Proposed <u>Amended Deadline</u>
Case Tutorial	September 29, 2011 at 9 a.m. (ECF No. 29 at p. 2, l. 1)	November 17, 2011 at 1:30 p.m.
Claim Construction Hearing	September 30, 2011 at 9 a.m. (ECF No. 29 at p. 2, l. 2)	November 18, 2011 at 1:30 p.m.
Opening Claim Construction Brief	August 26, 2011 (35 days prior to Claim Construction Hearing) (ECF No. 29 at p. 4, l. 9-13)	35 days prior to Claim Construction Hearing
Responsive Claim Construction Brief	September 9, 2011 (21 days prior to Claim Construction Hearing) (ECF No. 29 at p. 4, l. 14-17)	21 days prior to Claim Construction Hearing
Reply Claim Construction Brief	September 16, 2011 (14 days prior to Claim Construction Hearing) (ECF No. 29 at p. 4, l. 18-20)	14 days prior to Claim Construction Hearing

DATED: May 4, 2011

By: /s/ Andrew T. Oliver

Theodore T. Herhold
 Andrew T. Oliver
 Robert D. Tadlock

Attorneys for Plaintiff,
 APPLE INC.

DATED: May 4, 2010

By: /s/ John Van Loben Sels (with permission ATO)

John Van Loben Sels

Attorney for Defendant,
 SANHO CORPORATION

PURSUANT TO STIPULATION, IT IS SO ORDERED AS MODIFIED.
 Additional or alternative dates will be set at the Case Management Conference if necessary.

DATED: May 5, 2010

By: 

Edward J. Davila
 United States District Judge

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