

1 Mark W. Good (SBN 218809)  
 2 Benedict O’Mahoney (SBN 152447)  
 3 TERRA Law L.L.P.  
 4 117 Park Avenue, Third Floor  
 5 San Jose, California 95113  
 6 Tel: (408) 299-1200  
 7 Fax: (408) 998-4895  
 8 Email: mgood@terra-law.com  
 9 Email: bomahoney@terra-law.com

Daralyn Durie (SBN 169825)  
 Ryan M. Kent (SBN 220441)  
 Eugene Novikov (SBN 257849)  
 Durie Tangri LLP  
 217 Leidesdorff Street  
 San Francisco, CA. 94111  
 Tel: (415) 362-6666  
 Fax: (415) 236-6300  
 Email: ddurie@durietangri.com  
 Email: rkent@durietangri.com  
 Email: enovikov@durietangri.com

7 Edward W. Goldstein (TX Bar No. 08099500)  
 8 Goldstein & Lipski PLLC  
 9 1177 West Loop South, Suite 400  
 10 Houston, Texas 77027  
 11 Tel: (713) 877-1515  
 12 Fax: (713) 877-1737  
 13 Email: egoldstein@gliplaw.com

Attorneys for Defendant  
 LinkedIn Corporation

12 Attorneys for Plaintiff  
 13 EIT Holdings LLC

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

17 EIT HOLDINGS LLC, a Delaware company  
 18 Plaintiff,  
 19 vs.  
 20 LINKEDIN CORPORATION, a Delaware  
 21 Corporation,  
 22 Defendant.

CASE NO. 5:11-CV-02465-PSG  
**SUPPLEMENTAL JOINT CASE  
 MANAGEMENT STATEMENT AND  
 FEDERAL RULE OF CIVIL PROCEDURE  
 26(F) REPORT**  
**DEMAND FOR JURY TRIAL**

24 Pursuant to the Court’s Order of September 6, 2011 (Doc. 23), Plaintiff EIT Holdings,  
 25 LLC (“EIT”) and Defendant LinkedIn Corporation (“LinkedIn”) submit this Supplemental Joint  
 26 Case Management Statement and Federal Rule of Civil Procedure 26(f) Report.



1           The result of any motion for summary judgment filed in the Yelp case has the potential to  
2 significantly impact this case. Those proceedings could result in a judgment of invalidity as to  
3 one or both of the asserted claims of the '837 patent. Those proceedings also could reveal  
4 additional claim terms that would need construction either by Judge Alsup or this Court.  
5 (LinkedIn agrees with the current claim constructions issued by Judge Alsup, and would not  
6 challenge their adoption in this case by this Court). Further, the parties have scheduled a  
7 settlement conference with Magistrate Judge Spero on December 6, 2011, and EIT is set to  
8 provide an initial demand on October 31st to which LinkedIn must respond by November 7th.  
9 The parties therefore ask the Court to set another case management conference in January of  
10 2012. By then, the parties expect to have further information that will aid this Court in setting a  
11 case management order.

12  
13 Dated: October 25, 2011

Respectfully submitted,

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15 **Counsel for EIT Holdings, LLC**

**Counsel for LinkedIn Corporation**

16 By: /s/ Edward W. Goldstein

By: /s/ Ryan Kent

17 Edward W. Goldstein (TX Bar No. 08099500)  
18 **GOLDSTEIN & LIPSKI, P.L.L.C.**  
19 1177 West Loop South, Suite 400  
Houston, TX 77027  
Tel: 713-877-1515  
20 Fax: 713-877-1737  
21 Email: egoldstein@gliplaw.com

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Durie Tangri LLP  
217 Leidesdorff Street  
San Francisco, CA. 94111  
Tel: (415) 362-6666  
Fax: (415) 236-6300  
Email: ddurie@durietangri.com  
Email: rkent@durietangri.com

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San Jose, California 95113  
24 Tel: (408) 299-1200  
Fax: (408) 998-4895  
25 Email: bomahoney@terra-law.com

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1 **Attestation of Concurrence**

2 I, Edward W. Goldstein, as the ECF user and filer of this document, attest that  
3 concurrence in the filing of this document has been obtained from each of the above signatories.  
4

5 Dated: October 25, 2011

By: /s/ Edward W. Goldstein

6 **Counsel for EIT Holdings, LLC**  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on October 25, 2011, or, if not yet registered with the Court's CM/ECF system, via electronic mail pursuant to Fed.R.Civ.P. 5(b)(2)(E). Any other counsel of record will be served by first class U.S. Mail.

/s/ Edward W. Goldstein  
Edward W. Goldstein