

1 IRELL & MANELLA LLP
 Morgan Chu (70446) (mchu@irell.com)
 2 Benjamin W. Hattenbach (186455) (bhattenbach@irell.com)
 Melissa R. McCormick (180384) (mmccormick@irell.com)
 3 1800 Avenue of the Stars, Suite 900
 4 Los Angeles, California 90067-4276
 Telephone: (310) 277-1010
 5 Facsimile: (310) 203-7199
 6 Attorneys for Plaintiff Tessera, Inc.

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

11 TESSERA, INC.,)	Case No. 5:11-CV-04399-EJD (HRL)
)	
12 Plaintiff,)	STIPULATED REQUEST TO
)	VACATE EXPERT REPORT AND
13 v.)	DISCOVERY CUT-OFF DATES
)	PURSUANT TO CIVIL L.R. 6-2 AND
14 SONY CORPORATION,)	TO RESET DATES AT DECEMBER
)	14, 2012 STATUS CONFERENCE
15 Defendant.)	

16 Judge: Hon. Edward J. Davila
 17)
 18)
 19)
 20)
 21)
 22)
 23)
 24)
 25)
 26)
 27)
 28)

1 Pursuant to Civil Local Rule 6-2, Plaintiff Tessera, Inc. ("Tessera") and Defendant Sony
2 Corporation ("Sony") (collectively, "the Parties") hereby stipulate and agree to the following
3 request to vacate the current deadlines for submission of opening expert reports (December 5,
4 2012) and rebuttal expert reports (December 21, 2012) and the expert discovery cut-off date
5 (January 9, 2013) and request that the Court reset these deadlines at the status conference
6 scheduled for December 14, 2012.

7 On November 26, 2012, this Court issued its Order Denying Defendant Sony Corporation's
8 Motion for Relief from Non-Dispositive Pretrial Order of Magistrate Judge (the "Order"). Dkt.
9 No. 123; McCormick Decl. ¶ 2. In the Order, the Court set December 31, 2012 as Sony's deadline
10 to produce the discovery addressed in the Order. Dkt No. 123; McCormick Decl. ¶ 3. Magistrate
11 Judge Lloyd had previously ordered Sony to produce the discovery addressed in the Order by
12 November 8, 2012; in the Order, this Court reset that production deadline to December 31, 2012.
13 Dkt No. 83 (Judge Lloyd Order); McCormick Decl. ¶ 4. The discovery addressed in the Order
14 may be relevant to the Parties' expert reports and to expert discovery and the Parties thus desire to
15 vacate the current dates set for expert discovery. McCormick Decl. ¶ 5. In the Order, the Court
16 also scheduled a status conference for December 14, 2012 at 10:00 a.m. Dkt No. 123; McCormick
17 Decl. ¶ 6. Because the December 31 production deadline falls after the current deadlines for
18 submission of opening and rebuttal expert reports, the Parties request that the Court vacate the
19 current expert report deadlines and reset them at the December 14 status conference. McCormick
20 Decl. ¶ 7.

21 Pursuant to Civil Local Rule 6-2, an accompanying declaration of Melissa R. McCormick
22 (the "McCormick Decl.") has been filed concurrently herewith.

23 Accordingly, the Parties respectfully request that the Court vacate the current deadlines for
24 submission of opening expert reports (December 5, 2012) and rebuttal expert reports (December
25 21, 2012) and the expert discovery cut-off date (January 9, 2013) and request that the Court reset
26 these deadlines at the status conference scheduled for December 14, 2012.

27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ENDORSEMENT PER CIVIL L.R. 7-12

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 11/30/2012



Hon. Edward J. Davila
United States District Judge

Dated: November 29, 2012

IRELL & MANELLA LLP
By: /s/ Melissa R. McCormick
Melissa R. McCormick
Attorneys for Plaintiff Tessera, Inc.

Dated: November 29, 2012

FOLEY & LARDNER LLP
By: /s/ Aaron W. Moore
Aaron W. Moore
Attorneys for Defendant Sony Corp.

ATTESTATION OF CONCURRENCE IN FILING

Pursuant to Civil L.R. 5-1(i)(3), I, Melissa R. McCormick, hereby attest that concurrence in the filing of this Stipulated Request to Vacate Expert Report and Discovery Cut-Off Dates Pursuant to Civil L.R. 6-2 and to Reset Dates at December 14, 2012 Status Conference has been obtained from Aaron W. Moore, counsel for Sony.

Dated: November 29, 2012

By: /s/ Melissa R. McCormick
Melissa R. McCormick

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of November 2012, a copy of the foregoing was filed electronically through the Court's CM/ECF system, with notice of case activity automatically generated and sent electronically to all parties.

Dated: November 29, 2012

By: /s/ Melissa R. McCormick
Melissa R. McCormick