



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

ELITE TECHNOLOGY PARTNERS, LLC, )  
 )  
 Counter-claimant, )  
 v. )  
 SRICOM, INC, )  
 )  
 Counter-defendant. )  
 \_\_\_\_\_ )

An initial case management conference was held on September 13, 2012. *See* Dkt. No. 31. At the initial case management conference, the Court referred the parties to early neutral evaluation (“ENE”) with a 90 day deadline, and set a further case management conference for December 12, 2012. *See id.*

On November 28, 2012, the Court granted the parties’ stipulation to continue the ENE deadline to February 15, 2013. *See* Dkt. No. 43. The parties’ stipulation stated in relevant part, “A brief extension of time to complete the ENE will have no effect on the schedule of the case.” *Id.*

On December 10, 2012, the parties filed a stipulation to continue the December 12, 2012, further case management conference to February 27, 2013, “after completion of the ENE.” *See* Dkt. No. 46. The parties explain that “A brief extension of time to complete the Case Management Conference will have limited effect on the schedule of the case. . . [and] delay the case by a little more than two months. However, if ENE resolves the case, the limited delay will save the parties and the Court time, effort, and fees.” *Id.*

The Court granted the parties’ stipulation to continuing the ENE deadline pursuant to the parties’ statement that there would be “no effect on the schedule of the case.” *See* Dkt. No. 43. The Court will not extend the fact discovery cutoff because the parties have unilaterally given themselves a stay of discovery before the completion of ENE. The parties delay discovery at their own peril.

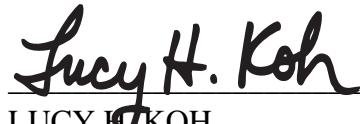
The parties’ joint case management statement does not raise substantial issues that require a case management conference at this time. *See* Dkt. No. 44. Accordingly, the Court continues the December 12, 2012 further case management conference until the next available date, March 20, 2013, at 2 p.m. The case schedule was set at the initial case management conference on September 13, 2012, and remains as follows:

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

CLOSE OF FACT DISCOVERY: March 7, 2013.  
OPENING EXPERT REPORTS: March 21, 2013.  
REBUTTAL EXPERT REPORTS: April 4, 2013.  
CLOSE OF EXPERT DISCOVERY: April 18, 2013.  
LAST DAY TO FILE DISPOSITIVE MOTIONS: May 2, 2013.  
HEARING ON DISPOSITIVE MOTIONS: June 13, 2013 at 1:30 p.m.  
PRETRIAL CONFERENCE: July 31, 2013 at 2:00 p.m.  
JURY TRIAL (4 days): August 19, 2013 at 9:00 a.m. in Courtroom 8, 4th Floor.

**IT IS SO ORDERED.**

Dated: December 10, 2012



\_\_\_\_\_  
LUCY H. KOH  
United States District Judge