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[See signature block for list of counsel for the Parties.]



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

EVOLUTIONARY INTELLIGENCE, LLC,

Plaintiff,

v.

SPRINT NEXTEL CORPORATION, *et al.*,

Defendants.

Case No. 13-cv-04513- RMW

**JOINT STIPULATION AND
ORDER ADVANCING
HEARING DATE AND CONTINUING
BRIEFING SCHEDULE RE
DEFENDANTS' SECTION 101
MOTIONS TO DISMISS AND/OR FOR
JUDGMENT ON THE PLEADINGS**

Judge: Honorable Ronald M. Whyte
Room: Courtroom 6, 4th Floor

EVOLUTIONARY INTELLIGENCE, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 13-cv-04201- RMW

Consolidated with 13-cv-04513- RMW

EVOLUTIONARY INTELLIGENCE, LLC,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

Case No. 13-cv-04202- RMW

Consolidated with 13-cv-04513- RMW

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EVOLUTIONARY INTELLIGENCE, LLC,
Plaintiff,
v.
FOURSQUARE LABS, INC.,
Defendant.

Case No. 13-cv-04203- RMW
Consolidated with 13-cv-04513- RMW

EVOLUTIONARY INTELLIGENCE, LLC,
Plaintiff,
v.
GROUPON, INC.,
Defendant.

Case No. 13-cv-04204- RMW
Consolidated with 13-cv-04513- RMW

EVOLUTIONARY INTELLIGENCE, LLC,
Plaintiff,
v.
LIVINGSOCIAL, INC.,
Defendant.

Case No. 13-cv-04205- RMW
Consolidated with 13-cv-04513- RMW

EVOLUTIONARY INTELLIGENCE, LLC,
Plaintiff,
v.
MILLENNIAL MEDIA, INC.,
Defendant.

Case No. 13-cv-04206- RMW
Consolidated with 13-cv-04513- RMW

EVOLUTIONARY INTELLIGENCE, LLC,
Plaintiff,
v.
TWITTER, INC.,
Defendant.

Case No. 13-cv-04207- RMW
Consolidated with 13-cv-04513- RMW

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EVOLUTIONARY INTELLIGENCE, LLC,

Plaintiff,

v.

YELP, INC.,

Defendant.

Case No. 13-cv-03587- RMW

Consolidated with 13-cv-04513- RMW

1 Plaintiff Evolutionary Intelligence, LLC and Defendant Sprint Nextel Corporation,¹ Sprint
2 Communications Company L.P., Sprint Spectrum, L.P., and Sprint Solutions, Inc. (“Sprint”);
3 Defendant Apple Inc.; Defendant Facebook, Inc.; Defendant Foursquare Labs, Inc.; Defendant
4 Groupon, Inc.; Defendant LivingSocial, Inc.; Defendant Millennial Media, Inc.; Defendant
5 Twitter, Inc.; Defendant Yelp Inc. (“Defendants”) hereby stipulate as follows:

6 WHEREAS, on June 1, 2015, Defendants filed a motion to dismiss and/or motion for
7 judgment on the pleadings pursuant to 35 USC Section 101 (“101 Motion”) (Dkt. # 188);

8 WHEREAS, Defendants set the hearing date for the 101 Motion for August 21, 2015;

9 WHEREAS, subject to this Court’s availability, the parties wish to advance the hearing
10 date on Defendants’ 101 Motion; and

11 WHEREAS, the parties wish to continue the briefing schedule on Defendants’ 101 Motion.

12 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE TO THE
13 FOLLOWING SCHEDULE WITH RESPECT TO THE FILING OF PLEADINGS RELATING
14 TO THE 101 MOTION:

15 **June 26, 2015** – Last day for Plaintiff to oppose Defendants’ 101 Motion;

16 **July 14, 2015** – Last day to file reply in support of 101 Motion; and

17 **July 28, 2015** – Hearing on Defendants’ 101 Motion (subject to the Court’s
18 availability)

19 IT IS SO STIPULATED.

20 Dated: June 15, 2015

Respectfully submitted,

21 */s/ Todd Kennedy*

22

Todd Kennedy

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¹ Sprint Nextel Corporation is now known as Sprint Communications, Inc.

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7 **SPRINT COMMUNICATIONS COMPANY**
8 **L.P., SPRINT SPECTRUM, L.P., AND**
9 **SPRINT SOLUTIONS, INC.**

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Attorneys for Defendants
YELP INC. and TWITTER, INC.

22 PURSUANT TO THE STIPULATION OF THE PARTIES, AND FOR GOOD CAUSE
23 SHOWN, IT IS HEREBY ORDERED THAT THE FOLLOWING SCHEDULE SHALL APPLY
24 TO DEFENDANTS' 101 MOTION:

25 **June 26, 2015** – Last day for Plaintiff to oppose Defendants' 101 Motion;

26 **July 14, 2015** – Last day to file reply in support of 101 Motion; and

27 **July 28, 2015** – Hearing on Defendants' 101 Motion at
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IT IS SO ORDERED.

Dated: _____, 2015



Hon. Ronald M. Whyte
United States District Judge