

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
MOUNTAIN VIEW

1 PATRICK E. PREMO (CSB No. 184915)  
 2 [ppremo@fenwick.com](mailto:ppremo@fenwick.com)  
 3 DAN KO OBUHANYCH (CSB No. 255160)  
 4 [dobuhanych@fenwick.com](mailto:dobuhanych@fenwick.com)  
 5 RONNIE SOLOMON (CSB No. 284923)  
 6 [rsolomon@fenwick.com](mailto:rsolomon@fenwick.com)  
 7 FENWICK & WEST LLP  
 8 Silicon Valley Center  
 9 801 California Street  
 10 Mountain View, CA 94041  
 11 Telephone: (650) 988-8500  
 12 Facsimile: (650) 938-5200

13 SEBASTIAN E. KAPLAN (CSB No. 248206)  
 14 [skaplan@fenwick.com](mailto:skaplan@fenwick.com)  
 15 FENWICK & WEST LLP  
 16 555 California Street, 12th Floor  
 17 San Francisco, CA 94104  
 18 Telephone: (415) 875-2300  
 19 Facsimile: (415) 281-1350

20 Attorneys for Defendant  
 21 NIMBLE STORAGE, INC.

22 UNITED STATES DISTRICT COURT  
 23 NORTHERN DISTRICT OF CALIFORNIA  
 24 SAN JOSE DIVISION

25 NETAPP, INC.,  
 26  
 27 Plaintiff,  
 28  
 29 v.  
 30 NIMBLE STORAGE, INC., and MICHAEL  
 31 REYNOLDS, an individual, and Does 1-50,  
 32  
 33 Defendants.

Case No.: 5:13-cv-05058-PSG  
~~PROPOSED~~ ORDER SETTING BRIEFING  
 SCHEDULE ON NETAPP, INC.'S MOTION FOR  
 EXTENSION OF TIME TO COMPLY WITH  
 PARAGRAPH 4.A OF THE APPENDIX TO THE  
 SETTLEMENT AGREEMENT  
 Complaint Filed: October 29, 2013  
 Case Dismissed: March 23, 2015  
 Hearing Date: August 25, 2015  
 Time: 10:00 a.m.  
 Courtroom.: 5, 4th Floor  
 Judge: Hon. Paul S. Grewal

1 Having read and considered Plaintiff NetApp, Inc.'s Motion for Expedited Briefing  
2 Schedule on its Motion for Extension of Time to Comply with Paragraph 4.a of the Appendix to  
3 the Settlement Agreement, Defendant Nimble Storage, Inc.'s Opposition to Plaintiff NetApp's  
4 Motion for Expedited Briefing Schedule, and finding good cause therefor, the Court hereby rules  
5 as follows. Based in part on Nimble's agreement to toll compliance with the thirty (30) day time  
6 period set forth in Paragraph 4.a of the Appendix to the Settlement Agreement to allow time for  
7 the Court to rule on the pending motion currently scheduled for August 25, 2015 at 10 am, the  
8 parties shall adhere to the following briefing schedule:

- 9 1. Defendants shall file and serve their opposition to NetApp's Motion for Extension  
10 of Time to Comply with Paragraph 4.a of the Appendix to the Settlement  
11 Agreement on **August 3, 2015**; and
- 12 2. Plaintiff shall file and serve its reply in support of NetApp's Motion for Extension  
13 of Time to Comply with Paragraph 4.a of the Appendix to the Settlement  
14 Agreement on **August 10, 2015**.

15 **IT IS SO ORDERED.**

16  
17 Dated: July 16, 2015

18   
19 The Honorable Paul S. Grewal  
20 United States Magistrate Judge