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14
15 **UNITED STATES DISTRICT COURT**

16 **DISTRICT OF NEVADA**

17 KONAMI GAMING, INC., a Nevada
corporation,

Case No.: 2:14-cv-01483-RFB-NJK

18 Plaintiff,

19 v.

**STIPULATION TO STAY DISCOVERY
AND CLAIM CONSTRUCTION
DEADLINES**

20 PTT, LLC d/b/a HIGH 5 GAMES, a
Delaware limited liability company,

21 Defendant.
22

23 COMES NOW the above-named parties, by and through their counsel of record, and
24 jointly stipulate to stay discovery and pending claim construction deadlines for sixty (60) days to
25 provide the parties additional time to analyze the technology at issue.
26

27 This is a complex patent case involving Plaintiff's allegations of infringement of four
28 patents. The Plaintiff has asserted a total of 64 claims against 63 of defendant High 5's games.

1 The parties have exchanged initial contentions in accordance with the Joint Discovery Plan and
2 Scheduling Order set forth in this case. (Dkt. No. 32). During the contention exchange period,
3 plaintiff Konami served Initial Infringement Contentions (44 pages with claim charts), followed
4 by High 5's Initial Non-Infringement, Invalidity and Unenforceability contentions (489 pages
5 with claim charts), and finally, Konami served its Response to High 5's contentions (834 pages
6 with claim charts).

7
8 It is clear from the parties' contentions that the parties are in stark disagreement over the
9 nature and operation of the accused technology. The parties therefore seek to stay this case for
10 sixty days in order to exchange further information about the accused technology, and to permit
11 the parties technical representatives to meet and discuss the technology, with the intention of
12 potentially reducing the issues and complexities in this dispute.

13
14 During this litigation, the parties have granted each other extensions to various exchanges
15 due to the growing complexity of the case, scheduling issues, change of lead counsel for Plaintiff
16 Konami, and work on other matters. For instance, the parties stipulated to delay the exchange of
17 proposed terms for construction, due on August 26, 2015, and written discovery responses due
18 on September 14, 2015. Here, the parties request a sixty (60) day stay of discovery and the claim
19 construction related deadlines in order to further analyze the accused products, including High 5
20 producing additional source code, and related documents, to the extent they exist, for the accused
21 games followed by a meeting or series of meetings involving a High 5 technical representative,
22 Konami's technical expert, as well as counsel for the parties to explain and discuss High 5's
23 gaming products, as well as the related source code, and how it operates. The parties believe the
24 stay and the technical representative discussions should enhance both parties' understanding of
25 the accused products and each parties' contentions in an effort to narrow and possibly resolve
26 this dispute or substantial parts of it.
27
28

1 The parties therefore jointly stipulate to stay discovery and the claim construction
2 deadlines up to and including November 13, 2015. Following the stay, and if necessary, the
3 parties will re-engage in discovery and the exchange of claim construction related terms and
4 definitions, and will provide the Court a modified proposed discovery plan and scheduling order
5 for approval.

6 WHEREFORE, the parties respectfully stipulate and move that the Court should enter an
7 Order amending the Discovery Plan and Scheduling Order in this action, staying discovery and
8 the time for compliance with the claim construction deadlines, through and including November
9 13, 2015.

10 DATED this 14th day of September, 2015

11
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Attorneys for Defendant

25 The parties must file, no later than
26 September 22, 2015, an amended
27 joint discovery plan containing the
28 deadlines granted in this order.
Dated: September 18, 2015

So Ordered:


NANCY J. KOPPE
United States Magistrate Judge