



**I.**

Pursuant to the Docket Control Order entered by the Court on April 9, 2010 [Dkt. 249] and the Court’s Order Granting Joint Motion To Set Time For Parties To Exchange Expert Witness Reports entered on March 18, 2011 [Dkt. 603], the parties have been working diligently towards the submission of expert reports. In light of the substantial amount of discovery currently underway the parties agree that additional time is warranted for expert report submissions. Concomitantly, the parties have agreed upon a revised schedule for other deadlines to account for this extension to the expert report deadline.

The parties have met and conferred and this Motion is made **jointly** and is **unopposed**.

The parties respectfully request that the Court extend the deadlines set forth below as indicated:

Deadlines Requested By The Parties Through This Motion	Deadlines Previously Set By The Court	
<b>08/19/2011</b>	<b>07/18/2011</b> (per Dkt. 249)	<b>Responses to Dispositive Motions (including <i>Daubert</i> motions) due.</b> Responses to dispositive motions filed prior to the dispositive motion deadline, including <i>Daubert</i> motions, shall be due in accordance with Local Rule CV-56 and Local Rule CV-7. <u>Motions to extend page limits will only be granted in exceptional circumstances.</u>
<b>08/05/2011</b>	<b>07/01/2011</b> (per Dkt. 249)	<b>Dispositive Motions due from all parties and any other motions that may require a hearing (including <i>Daubert</i> motions) due.</b> Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <u>Motions to extend page limits will only be granted in exceptional circumstances.</u>
<b>08/08/2011</b>	<b>06/28/2011</b> (per Dkt. 249)	Parties to Identify Rebuttal Trial Witnesses.
<b>07/29/2011</b>	<b>06/17/2011</b> (per Dkt. 249)	Parties to Identify Trial Witnesses; Amend Pleadings (after <i>Markman</i> Hearing). It is not necessary to file a Motion for Leave to Amend before the deadline to amend pleadings. It is necessary to file a Motion for Leave to Amend after the deadline. However, except as provided in Patent Rule 3-6, if the amendment would effect infringement contentions or invalidity contentions, a

Deadlines Requested By The Parties Through This Motion	Deadlines Previously Set By The Court	
		motion must be made pursuant to Patent Rule 3-6 irrespective of whether the amendment is made prior to this deadline.
08/12/2011	21 days after date for rebuttal expert witness reports. (per Dkt. 249)	<b>Discovery Deadline.</b>
07/29/2011	June 14, 2011 (per Dkt. 603)	Parties designate rebuttal expert witnesses (non-construction issues), Rebuttal expert witness reports due. Refer to Local Rules for required information.
06/24/2011	May 25, 2011 (per Dkt. 603)	Parties with burden of proof designate expert witnesses (non-construction issues). Expert witness reports due. Refer to Local Rules for required information.

**II.**

This motion is not made for delay, and should not impact any other deadline applicable to this litigation.

**III.**

Accordingly, the parties respectfully move the Court for an Order setting the deadlines provided above.

Dated: May 24, 2011.

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic services on May 24, 2011. Local Rule CV-5(a)(3)(A).

*/s/ Matt Rappaport*  
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