

THE HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

HTC Corporation and HTC America, Inc.

Plaintiffs,

v.

Telefonaktiebolaget LM Ericsson and Ericsson  
Inc.,

Defendants.

CASE NO.: 2:17-cv-00534

**STIPULATED MOTION AND  
~~PROPOSED~~ ORDER APPROVING  
ACCEPTANCE OF SERVICE OF  
SUMMONS AND EXTENSION OF  
TIME TO RESPOND TO  
COMPLAINT**

NOTE ON MOTION CALENDAR:  
April 27, 2017

STIPULATED MOTION AND ~~PROPOSED~~  
ORDER APPROVING ACCEPTANCE OF  
SERVICE OF SUMMONS AND EXTENSION  
TO RESPOND TO COMPLAINT  
2:17-cv-00534

WILSON SONSINI GOODRICH & ROSATI  
701 Fifth Avenue, Suite 5100  
Seattle, WA 98104-7036  
Tel: (206) 883-2500  
Fax: (206) 883-2699

1 Plaintiffs HTC Corporation and HTC America, Inc. (collectively, HTC) and Defendants  
2 Telefonaktiebolaget LM Ericsson and Ericsson Inc., (together, Ericsson) hereby stipulate:

3 WHEREAS, on April 6, 2017, HTC filed a complaint in this action, which alleges breach  
4 of contract, breach of the covenant of good faith and fair dealing, and promissory estoppel  
5 (Complaint);

6 WHEREAS, on April 7, 2017, HTC effectuated service of summons on Ericsson Inc.,  
7 through its agent of service Capitol Corporate Service Inc, RA;

8 WHEREAS, Defendant Telefonaktiebolaget LM Ericsson is a foreign entity that has not  
9 been served with process;

10 WHEREAS, the parties to this stipulation seek to resolve issues of service and establish a  
11 single date for both Defendants to respond to HTC's Complaint.

12 NOW THEREFORE, the parties to this stipulation agree, subject to the Court's approval,  
13 as follows:

14 1. Telefonaktiebolaget LM Ericsson will waive service of summons in this matter  
15 and will move, answer, or otherwise respond to HTC's complaint on or before July 27, 2017.

16 2. Ericsson Inc.'s deadline to move, answer, or otherwise respond to the Complaint  
17 is extended to July 27, 2017

18 3. By entering this stipulation, no party is waiving any argument, right or defense,  
19 except as to issues related to service of summons.

20 Dated: April 27, 2017

*s/ James C. Yoon*

James C. Yoon, *Admitted Pro Hac Vice*

**Wilson Sonsini Goodrich & Rosati**

Professional Corporation

650 Page Mill Road

Palo Alto, CA 94304-1050

Telephone: (650) 493-9300

Facsimile: (650) 565-5100

Email: [jyoon@wsgr.com](mailto:jyoon@wsgr.com)

*Attorneys for Plaintiffs HTC Corporation and  
HTC America, Inc.*

1 Dated: April 27, 2017

s/ Steven J. Pollinger  
Steven J. Pollinger  
Washington State Bar # 23075  
McKOOL SMITH P.C.  
300 W. 6<sup>th</sup> Street, Suite 1700  
Austin, TX 78701  
Telephone: (512) 692-8702  
Facsimile: (512) 692-8744  
Email: spollinger@mckoolsmith.com

7 *Attorneys for Defendants Telefonaktiebolaget*  
8 *LM Ericsson and Ericsson Inc.*

~~PROPOSED~~ ORDER

GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that:

1. Telefonaktiebolaget LM Ericsson waives service of summons in this matter and will move, answer, or otherwise respond to HTC's complaint on or before July 27, 2017.
2. Ericsson Inc.'s deadline to move, answer, or otherwise respond to the Complaint is extended to July 27, 2017.
3. Nothing in this Order shall be construed as a waiver of any argument, right or defense of any party, except as to issues related to service of summons.

**IT IS SO ORDERED.**

Dated this 2nd day of May, 2017.

  
HONORABLE ROBERT S. LASNIK  
UNITED STATES DISTRICT JUDGE

Presented by:  
James C. Yoon, *Admitted Pro Hac Vice*  
**Wilson Sonsini Goodrich & Rosati**  
Professional Corporation  
650 Page Mill Road  
Palo Alto, CA 94304-1050  
Telephone: (650) 493-9300  
Facsimile: (650) 565-5100  
Email: jyoon@wsgr.com

*Attorneys for Plaintiffs*  
*HTC Corporation and HTC America, Inc.*

Steven J. Pollinger  
Washington State Bar # 23075  
McKOOL SMITH P.C.  
300 W. 6<sup>th</sup> Street, Suite 1700  
Austin, TX 78701  
Telephone: (512) 692-8702  
Facsimile: (512) 692-8744  
Email: spollinger@mckoolsmith.com

*Attorneys for Defendants Telefonaktiebolaget LM Ericsson and Ericsson Inc.*