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15 *Attorneys for Plaintiff*
16 *Philips North America LLC*

17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**
19 **WESTERN DIVISION**

20 Philips North America LLC,

21 *Plaintiff,*

22 vs.

23
24 Garmin International, Inc. and
Garmin Ltd.,

25 *Defendants.*
26
27
28

Case No. 2:19-cv-06301-AB-KS

**JOINT STIPULATION TO MODIFY
THE SCHEDULING ORDER**

Hon. André Birotte Jr.

1 Plaintiff Philips North America LLC (“Philips”) and Defendants Garmin International,
2 Inc. and Garmin Ltd. (collectively “Garmin”) hereby jointly stipulate and respectfully request
3 that the Court extend certain deadlines in the Court’s Scheduling Order as set forth in the table
4 below. While the parties have been working diligently to complete discovery, the realities of
5 client, attorney, and expert witness schedules in a work-from home situation during the COVID-
6 19 pandemic have complicated these efforts in ways that neither party would have anticipated
7 when they jointly proposed the case schedule back in 2019. The parties did recently request –
8 and the Court granted – a brief extension of certain discovery deadlines, but the parties have
9 now agreed and stipulated that modest further extensions are in order.

10 Each party has several reasons for requesting additional time, but in general terms both
11 parties agree that in order to more properly develop the record in discovery, more time is needed
12 to (1) coordinate expert witness schedules and complete expert reports, (2) avoid unnecessary
13 haste and scheduling complications in completing depositions, and (3) accommodate these
14 modest extensions by allowing corresponding additional time for later case deadlines (while
15 also avoiding unnecessary deadlines over the December holidays).

16 The parties note that in the interests of streamlining and simplifying the case, they
17 previously agreed to narrow the dispute by limiting their infringement and invalidity contentions
18 to a certain number of asserted claim and prior art references. Those deadlines are included in
19 the table below.

20 The parties are also of the understanding that, due to the unexpected COVID-19
21 pandemic, the original trial date contemplated by the parties and the Court many months ago is
22 unlikely to proceed. Given that, the modest extension of time requested by the parties is well
23 advised in order to more fully develop the record.

24 Below is a table setting forth the parties proposed modifications to the case schedule. A
25 Proposed Order has also been filed herewith, and the parties respectfully request that the Court
26 grant that order.

Event	Previous Deadline (Dkt. 90)	Proposed Deadline
Fact Discovery.		
Close of fact discovery	September 18, 2020	unchanged
Garmin Limit to Prior Art	September 25, 2020	October 9, 2020
Expert Discovery.		
Opening expert reports	October 9, 2020	December 8, 2020
Rebuttal expert reports	October 30, 2020	January 26, 2020
Close of expert discovery	November 13, 2020	February 12, 2021
Dispositive Motion Filing Deadline	December 4, 2020	February 25, 2021
Oppositions to Dispositive Motions	December 11, 2020	March 11, 2021
Replies on Dispositive Motions	December 18, 2020	March 26, 2021
Hearing on Dispositive Motions	January 8, 2021	April 8, 2021 (or at the Court's availability)
First Round of Pre-Trial Filings Due	February 5, 2021	To be set by Court
Second Round of Pre-Trial Filings Due	February 26, 2021	To be set by Court

1 Dated: September 15, 2020

Respectfully submitted,

2 **LAMKIN IP DEFENSE**

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3 /s/ Rachael D. Lamkin

/s/ Jean-Paul Ciardullo

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19 I certify that Rachael D. Lamkin authorized the electronic filing of this document.

20 /s/ Jean-Paul Ciardullo