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10 *Philips North America LLC*

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14 **WESTERN DIVISION**

15
16 Philips North America LLC,

17 *Plaintiff,*

18 vs.

19 Garmin International, Inc.
20 Garmin USA, Inc. and Garmin Ltd.,

21 *Defendants.*
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Case No. 2:19-cv-06301-AB-KS

**JOINT STIPULATION REGARDING
THE FILING OF AN AMENDED
COMPLAINT**

1 Plaintiff Philips North America LLC (“Philips”), and Defendants Garmin
2 International, Inc. and Garmin Ltd. (collectively “Garmin”) hereby jointly and respectfully
3 stipulate to vacate certain upcoming pleading deadlines, and agree that Philips may file an
4 Amended Complaint as follows.

5 Whereas Philips filed the Original Complaint on July 22, 2019. (Dkt. 1.)

6 Whereas Garmin International, Inc. filed an Answer to the Original Complaint and
7 Counterclaim on August 7, 2019. (Dkt. 23.)

8 Whereas Philips moved to dismiss Garmin International, Inc.’s Counterclaim on
9 September 18, 2019 (Dkt. 29), and the Court granted-in-part Philips’s motion to dismiss
10 on November 25, 2019 (Dkt. 42). In its Order, the Court granted Garmin International,
11 Inc. leave to file an Amended Answer to the Original Complaint on or before December
12 16, 2019. (*See id.* at 9.)

13 Whereas Garmin Ltd. filed its Answer and Counterclaims to the Original Complaint
14 on November 15, 2019. (Dkt. 41.) Philips’s deadline to answer or otherwise respond to
15 Garmin LTD.’s counterclaims is December 6, 2019. *See* Fed. R. Civ. P. 12(a)(1)(B).

16 Whereas Philips has requested and Garmin has consented to the filing of an
17 Amended Complaint on or before December 9, 2019. The parties, therefore, agree that
18 Philips’s deadline for responding to Garmin Ltd.’s Answer to the Original Complaint and
19 Counterclaims and Garmin International, Inc.’s deadline for filing an Amended Answer to
20 Philips’s Original Complaint should be vacated, to allow Philips to file an Amended
21 Complaint and to allow both defendants to respond to the Amended Complaint.

22 THEREFORE, the parties respectfully request that their deadlines relative to Garmin
23 Ltd.’s Answer and Counterclaims and the Court’s Order on Philips’s motion to dismiss
24 Garmin International Inc.’s counterclaim be vacated. The parties further request that
25 Philips be permitted to file an Amended Complaint on or before December 9, 2019, and
26 that defendants Garmin International, Inc. and Garmin Ltd.’s deadline to answer, move or
27 otherwise respond to the Amended Complaint be December 30, 2019.

28 A Proposed Order is filed herewith.

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DATED: December 3, 2019

FOLEY & LARDNER LLP

/s/ Jean-Paul Ciardullo

Jean-Paul Ciardullo

Eley O. Thompson

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Philips North America, LLC

LAMKIN IP DEFENSE

/s/ Rachael D. Lamkin

Rachael D. Lamkin (246066)

LAMKIN IP DEFENSE

Attorney for Defendant

Garmin USA, Inc.

Rachael Lamkin authorized my firm to electronically file this document.

/s/ Jean-Paul Ciardullo