

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FINJAN, INC.,

Plaintiff,

No. C 17-05659 WHA

v.

JUNIPER NETWORK, INC.,

Defendant.

**THIRD AMENDED CASE
MANAGEMENT ORDER**

This order supersedes all previous case management orders. The Court SETS the following:


1. The **FINAL PRETRIAL CONFERENCE** shall be held on **DECEMBER 4, at 9:00 A.M.**
Although the Court encourages argument and participation by younger attorneys, lead trial counsel must attend the final pretrial conference. For the form of submissions for the final pretrial conference and trial, please see below.
2. A **JURY TRIAL** shall begin on **DECEMBER 10, 2018**, at **7:30 A.M.**, in Courtroom 12, 19th Floor, 450 Golden Gate Avenue, San Francisco, California, 94102. The trial schedule and time limits shall be set at the final pretrial conference. Although almost all trials proceed on the date scheduled, it may be necessary on occasion for a case to trail, meaning the trial may commence a few days or even a few weeks after the date stated above, due to calendar congestion and the need to give priority to criminal trials. Counsel and the parties should plan accordingly, including advising witnesses.

- 1 3. Counsel may not stipulate around the foregoing dates without Court approval.
- 2 4. While the Court encourages the parties to engage in settlement discussions, please do
3 not ask for any extensions on the ground of settlement discussions or on the ground that
4 the parties experienced delays in scheduling settlement conferences, mediation or ene.
5 The parties should proceed to prepare their cases for trial. No continuance (even if
6 stipulated) shall be granted on the ground of incomplete preparation without competent
7 and detailed declarations setting forth good cause.
- 8 5. To avoid any misunderstanding with respect to the final pretrial conference and trial,
9 the Court wishes to emphasize that all filings and appearances must be made — on pain
10 of dismissal, default or other sanction — unless and until a dismissal fully resolving the
11 case is received. It will not be enough to inform the clerk that a settlement in principle
12 has been reached or to lodge a partially executed settlement agreement or to lodge
13 a fully executed agreement (or dismissal) that resolves less than the entire case.
14 Where, however, a fully-executed settlement agreement clearly and fully disposing of
15 the entire case is lodged reasonably in advance of the pretrial conference or trial and
16 only a ministerial act remains, the Court will arrange a telephone conference to work
17 out an alternate procedure pending a formal dismissal.
- 18 6. If you have not already done so, please read and follow the “Supplemental Order to
19 Order Setting Initial Case Management Conference in Civil Cases Before Judge
20 William Alsup” and other orders issued by the Clerk’s office when this action was
21 commenced. Among other things, the supplemental order explains when submissions
22 are to go to the Clerk’s Office (the general rule) versus when submissions may go
23 directly to chambers (rarely). With respect to the final pretrial conference and trial,
24 please read and follow the “Guidelines For Trial and Final Pretrial Conference in Civil
25 Jury Cases Before The Honorable William Alsup.” All orders and guidelines
26 referenced in the paragraph are available on the district court’s website at
27 <http://www.cand.uscourts.gov>. The website also includes other guidelines for
28 attorney’s fees motions and the necessary form of attorney time records for cases

1 before Judge Alsup. If you do not have access to the Internet, you may contact Deputy
2 Clerk Dawn Logan at (415) 522-2020 to learn how to pick up a hard copy.

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4 **IT IS SO ORDERED.**

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6 Dated: September 4, 2018.

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9 WILLIAM ALSUP
10 UNITED STATES DISTRICT JUDGE
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