

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OYSTER OPTICS, LLC,

Plaintiff,

vs.

CIENA CORPORATION,

Defendant.

OYSTER OPTICS, LLC,

Plaintiff,

vs.

CIENA CORPORATION,

Defendant.

)
) Case Number: 4:17-cv-05920-JSW
) ORDER GRANTING
) **JOINT NOTICE OF SETTLEMENT AND**
) **STIPULATION TO STAY CASE FOR**
) **THIRTY DAYS TO FACILITATE ENTRY**
) **OF SETTLEMENT**

)
) Case Number: 4:20-cv-02354-JSW
)
) ORDER GRANTING
) **JOINT NOTICE OF SETTLEMENT AND**
) **STIPULATION TO STAY CASE FOR**
) **THIRTY DAYS TO FACILITATE ENTRY**
) **OF SETTLEMENT**
) AND REQUIRING JOINT STATUS REPORT

The parties hereby submit this Notice to notify the Court that they have reached a settlement in principle with regard to Case Nos. 4:20-cv-02354-JSW and 4:17-cv-05920-JSW and will finalize a settlement agreement as soon as possible. In light of the settlement in principle, the parties jointly stipulate that the cases be stayed for 30 days. The parties believe, and hereby stipulate, that is the stays are appropriate to allow them to negotiate a final form of

1 the settlement agreement, and to prepare motions to dismiss the case, and jointly request that the
2 Court ORDER same

3
4 DATED: November 1, 2023

By: /s/ Paul A. Kroeger

Marc A. Fenster (CA BN 181067)
mfenster@raklaw.com
Reza Mirzaie (CA BN246953)
rmirzaie@raklaw.com
Paul A. Kroeger (CA BN 229074)
pkroeger@raklaw.com
Neil A. Rubin (CA BN 250761)
nrubin@raklaw.com
RUSS, AUGUST & KABAT
12424 Wilshire Boulevard, 12th Floor
Los Angeles, CA 90025
Telephone: 310/826-7474
Facsimile: 310/826-6991

Attorneys for Plaintiff
OYSTER OPTICS, LLC

13
14
15 DATED: November 1, 2023

By: /s/ Blair M. Jacobs

16 Blair M. Jacobs
bjacobs@mckoolsmith.com
17 Christina A. Ondrick
condrick@mckoolsmith.com
18 John S. Holley
jholley@mckoolsmith.com
19 McKool Smith, P.C.
20 1999 K Street, NW, Suite 600
21 Washington, DC 20006
22 Phone: (202) 402-9400
Facsimile: (202) 402-9544

23 ALAN P. BLOCK (SBN 143783)
ablock@mckoolsmithhennigan.com
24 300 South Grand Avenue, Suite 2900
25 Los Angeles, California 90071
26 T: 213.694.1200;
F: 213.694.1234

Attorneys for Defendant
CIENA CORPORATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED. The parties shall file a joint status report by no later than December 11, 2023 if they have not filed a dismissal by December 8, 2023.

Dated:

November 1, 2023

UNITED STATES DISTRICT MAGISTRATE JUDGE



CERTIFICATE OF SERVICE

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served on November 1, 2023, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Paul A. Kroeger _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SIGNATURE ATTESTATION

The undersigned attests that, pursuant to Local Rule 5-4.3.4(a)(2), concurrence in the filing of this document has been obtained from counsel for all other signatories listed, and on whose behalf the filing is submitted, and counsel concur in the filing's content and have authorized the filing.

Dated: November 1, 2023

Respectfully submitted,
RUSS AUGUST & KABAT
/s/ Paul A. Kroeger

Paul A. Kroeger
RUSS, AUGUST & KABAT
Marc A. Fenster, SBN 181067
mfenster@raklaw.com
Brian D. Ledahl, SBN186579
bledahl@raklaw.com
Paul A. Kroeger, SBN 229074
pkroeger@raklaw.com
Andrew D. Weiss, SBN 232974
aweiss@raklaw.com
Neil A. Rubin, SBN 250761
nrubin@raklaw.com
Adam S. Hoffman, SBN 218740
ahoffman@raklaw.com
Benjamin T. Wang, SBN 228712
bwang@raklaw.com
Jacob R. Buczko, SBN 269408
jbuczko@raklaw.com
12424 Wilshire Boulevard
Twelfth Floor
Los Angeles, California 90025
Telephone: (310) 826-7474
Facsimile: (310) 826-6991

Attorneys for Plaintiff
OYSTER OPTICS, LLC