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9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12 OYSTER OPTICS, LLC,

13 Plaintiff,

14 vs.

15 CIENA CORPORATION,

16 Defendant.

CASE NO. 4:20-cv-02354-JSW

**JOINT STIPULATION AND  
~~PROPOSED~~ ORDER TO FURTHER  
EXTEND TIME TO FILE REPLY  
CLAIM CONSTRUCTION BRIEF AND  
TO EXTEND ASSOCIATED CLAIM  
CONSTRUCTION DEADLINES**

*\*As Modified by the Court\**

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1 Pursuant to Civil L.R. 6-1 and 6-2, Oyster Optics, LLC (“Oyster”) and Ciena Corporation  
2 (“Ciena”) file this Stipulation requesting that the deadline for Oyster to file its Reply Claim  
3 Construction brief be extended by one-week. This request is supported by the attached  
4 Declaration of Paul A. Kroeger, and based on the fact that most of Oyster’s trial team is presently  
5 involved in trial in another matter, and both parties are presently engaged in preparing expert  
6 reports in the related case in front of this Court. Accordingly, Oyster requires additional time to  
7 fully respond to Ciena’s claim construction arguments and both parties require additional time to  
8 prepare the claim construction tutorial. Moreover, both Oyster and Ciena are involved in expert  
9 reports and associated deadlines in the related action pending in this Court. No other deadlines,  
10 including deadlines associated with the claim construction hearing will be effected by the  
11 requested extension.

12 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed to by and between the  
13 parties that:

14 1. The time to file a Reply Claim Construction Brief shall be extended from March 8,  
15 2021 to March 15, 2021;

16 2. The Technology Tutorial ~~shall be continued from March 11, 2021, to April 26,~~  
17 ~~2021, or as soon thereafter as the Court is available.~~ is vacated.

18 3. The Claim Construction Hearing ~~shall be continued from March 25, 2021 to May~~  
19 ~~10, 2021, or as soon thereafter as the Court is available.~~ is vacated.

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21 IT IS SO STIPULATED.

22 Dated: March 2, 2021

23 By: /s/ Paul A. Kroeger

24 By: /s/ Blair M. Jacobs

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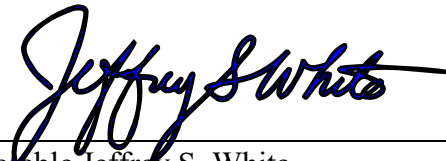
*Attorneys for Defendant*  
Ciena Corporation

**~~PROPOSED~~ ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 3, 2021

By:



Honorable Jeffrey S. White  
United States District Court Judge

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**ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I, Paul A. Kroeger, attest that concurrence in the filing of this document has been obtained from each of the other signatories.

*/s/ Paul A. Kroeger*

Paul A. Kroeger

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 2, 2021, the foregoing was served by electronic mail to all  
counsel of record.

*/s/ Paul A. Kroeger*

Paul A. Kroeger