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18 Attorneys for Defendant  
19 **APPLE INC.**

20 **UNITED STATES DISTRICT COURT**  
21 **NORTHERN DISTRICT OF CALIFORNIA**  
22 **SAN JOSE DIVISION**

23 OPENTV, INC., NAGRAVISION S.A., and  
24 NAGRA FRANCE S.A.S.

25 Plaintiffs,

26 v.

27 APPLE INC.,

28 Defendant.

Case No. 5:15-cv-02008-EJD

**JOINT STIPULATION REGARDING  
BRIEFING SCHEDULE FOR APPLE'S  
MOTION TO DISMISS**

**Case Filed: May 5, 2015**  
**Judge: Honorable Edward J. Davila**

1 Pursuant to Civil L.R. 6-2 and 7-12, Plaintiffs OpenTV, Inc., Nagravision S.A., and Nagra  
2 France S.A.S. (collectively “OpenTV”) and Defendant Apple Inc. (“Apple”) hereby stipulate to  
3 extend the briefing schedule for Apple’s Motion to Dismiss.

4 WHEREAS on June 26, 2015, Apple filed a Motion to Dismiss Plaintiffs’ Complaint for  
5 Failure to State a Claim Pursuant to Fed. R. Civ. P. 12(b)(6), noticed for hearing on October 1,  
6 2015 (Dkt. 33);

7 WHEREAS by rule, OpenTV’s opposition to Apple’s motion is due July 10, 2015;

8 WHEREAS by rule, Apple’s reply in support of its motion is due July 17, 2105;

9 WHEREAS because several counsel for OpenTV and for Apple are on or have scheduled  
10 vacations during July, the Parties met and conferred and agreed to jointly request a one-week  
11 extension for OpenTV’s opposition and three-court-day extension for Apple’s reply;

12 WHEREAS under the Parties’ requested briefing schedule, Apple’s motion will be fully  
13 briefed and before the Court more than two months before the noticed hearing date of October 1,  
14 2015; and

15 WHEREAS the Parties have not previously requested any modifications to the briefing  
16 schedule set by rule for Apple’s motion, and the modification requested herein will not affect the  
17 noticed hearing date for the motion or any other scheduled dates or events in this action.

18 It is hereby STIPULATED AND AGREED, by and between the Parties, subject to the  
19 approval of the Court, as follows:

- 20 (1) OpenTV’s opposition to Apple’s Motion to will be due no later than July 17, 2015,  
21 and  
22 (2) Apple’s reply in support of its Motion to Dismiss will be due no later than July 29,  
23 2015.

24  
25 Pursuant to Civil L.R. 6-2(a), this stipulation is supported by the concurrently filed  
26 Declaration of Luann L. Simmons.

27 IT IS SO STIPULATED.  
28

1 Dated: July 7, 2015

2 O'MELVENY & MYERS LLP

3 /s/ Luann L. Simmons

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**ATTESTATION**

In compliance with Local Rule 5-1(i)(3), I hereby attest that Robert F. McCauley , counsel for Plaintiffs, has concurred in the filing of this Joint Stipulation Regarding Briefing Schedule for Apple’s Motion to Dismiss.

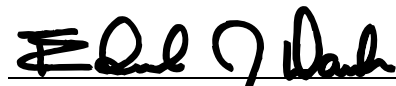
By: /s/ Luann L. Simmons

Luann L. Simmons

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 7/8, 2015



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Honorable Edward J. Davila  
United States District Judge