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United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WINDY CITY INNOVATIONS, LLC,

Plaintiff,

v.

FACEBOOK, INC., *et al.*,

Defendant,

Case No.: 16-CV-1730 YGR

ORDER RE: WITHDRAWAL OF MOTION TO  
DISMISS; SETTING BRIEFING SCHEDULE ON  
SUMMARY JUDGMENT

In light of the Court’s discussion with the parties on the record at the summary judgment pre-filing conference on January 28, 2019, Facebook has withdrawn its motion to dismiss for lack of jurisdiction. (Dkt. No. 129.) Facebook will incorporate the arguments therein into its motion for summary judgment.


Facebook’s motion for summary judgment will be filed no later than February 11, 2019, with opposition due by March 1, 2019, and reply due by March 8, 2019. The hearing will be set for April 2, 2019 at 2:00 p.m. in Courtroom One. As discussed at the conference, the Court requires that the briefing stay within the usual page limits under the Local Rules.

The parties are **DIRECTED** to provide to the Court, in conjunction with their briefing, complete copies of the pertinent expert reports and expert deposition transcripts, with cited portions highlighted. The parties are further reminded that they must comply with the Court’s Standing Order with respect to summary judgment filings, including: (1) filing a separate statement with an attestation as to the accuracy of the facts stated therein; and (2) ensuring that evidentiary submissions have the pertinent portions underlined, highlighted, or otherwise annotated. Finally, the parties should pay particular attention to the Local Rules on administrative motions to seal and declarations in support thereof, noting that the higher “compelling reasons”

1 standard applies to summary judgment motions. *See Pintos v. Pacific Creditors Ass'n*, 605 F.3d  
2 665, 678 (9th Cir. 2010).

3 **IT IS SO ORDERED.**

4 Date: January 31, 2019

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6 YVONNE GONZALEZ ROGERS  
7 UNITED STATES DISTRICT COURT JUDGE  
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Northern District of California