

1 Michael Liu Su (Cal. Bar No. 300590)  
2 michael.liu.su@finnegan.com  
3 FINNEGAN, HENDERSON, FARABOW,  
4 GARRETT & DUNNER, LLP  
5 3300 Hillview Avenue  
6 Palo Alto, CA 94304  
7 Telephone: (650) 849-6600  
8 Facsimile: (650) 849-6666

9 Lionel M. Lavenue (*pro hac vice*)  
10 lionel.lavenue@finnegan.com  
11 Bradford C. Schulz (*pro hac vice*)  
12 bradford.schulz@finnegan.com  
13 FINNEGAN, HENDERSON, FARABOW,  
14 GARRETT & DUNNER, LLP  
15 Two Freedom Square  
16 11955 Freedom Drive  
17 Reston, VA 20190  
18 Telephone: (571) 203-2700  
19 Facsimile: (202) 408-4400

20 Samhitha M. Medatia (*pro hac vice*)  
21 Samhitha.medatia@finnegan.com  
22 FINNEGAN, HENDERSON, FARABOW,  
23 GARRETT & DUNNER, LLP  
24 271 17<sup>th</sup> Street, NW  
25 Suite 1400  
26 Atlanta, GA 30363  
27 Telephone: (404) 653-6400  
28 Facsimile: (202) 408-4400

Attorneys for Plaintiff  
ZTE (USA) Inc.

Peter Lambrianakos (*pro hac vice*)  
plambrianakos@brownrudnick.com  
Vincent J. Rubino, III (*pro hac vice*)  
vrubino@brownrudnick.com  
Alfred R. Fabricant (*pro hac vice*)  
afabricant@brownrudnick.com  
Brown Rudnick LLP  
Alessandra C. Messing (*pro hac vice*)  
amessing@brownrudnick.com  
7 Times Square  
New York, NY 10036  
Telephone: (212) 209-4800  
Facsimile: (212) 209-4801

Sarah G. Hartman (Cal. Bar No. 281751)  
shartman@brownrudnick.com  
Arjun Sivakumar (Cal. Bar No. 297787)  
asivakumar@brownrudnick.com  
Brown Rudnick LLP  
2211 Michelson Drive, Seventh Floor  
Irvine, California 92612  
Telephone: (949) 752-7100  
Facsimile: (949) 252-1514

Attorneys for Defendant AGIS SOFTWARE  
DEVELOPMENT LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

21 )  
22 ) Case Number: 4:18-cv-06185-HSG  
23 )  
24 ) **JOINT STIPULATION AND**  
25 ) **ORDER TO AMEND**  
26 ) **SCHEDULING ORDER (DKT. 99)**  
27 )  
28 )  
ZTE (USA) INC., )  
Plaintiff(s), )  
vs. )  
AGIS SOFTWARE DEVELOPMENT LLC, )  
Defendant(s). )



1 to produce two deposition transcripts, and the Parties agreed to permit an exchange of amended  
 2 Preliminary Claim Constructions and Extrinsic Evidence pursuant to Local Patent Rule 4-2 by  
 3 August 23, 2019.<sup>1</sup> The Parties further agreed that AGIS Software would serve amended  
 4 Infringement Contentions to reflect the Parties' agreements by September 3, 2019, and that ZTE  
 5 would serve amended Invalidity Contentions within 21 days of receipt of AGIS Software's  
 6 amended Infringement Contentions, by September 24, 2019.<sup>2</sup>

7 **WHEREAS**, to allow the Parties time to resolve their discovery disputes as agreed  
 8 during the August 15, 2019 conference, the Parties have agreed that good cause exists to extend  
 9 the discovery deadlines as described below;<sup>3</sup>

10 **IT IS HEREBY STIPULATED AND AGREED**, by and between Plaintiff and  
 11 Defendant, through their respective undersigned counsel, that AGIS Software will serve  
 12 amended Infringement Contentions by September 3, 2019; ZTE will serve amended Invalidity  
 13 Contentions by September 24, 2019; the Parties will exchange amended Preliminary Claim  
 14 Constructions and Extrinsic Evidence by August 23, 2019; and the following upcoming  
 15 deadlines set forth in Scheduling Order (Dkt. 99) be modified as follows:  
 16

Event	Previous Deadlines	Amended Deadlines
Joint Claim Construction and Prehearing Statement	August 21, 2019	September 6, 2019
Exchange Expert Declarations in Support of Claim Construction, if Any	August 21, 2019	September 6, 2019
Responsive Damages Contentions	September 13, 2019	September 13, 2019 (same)
Complete Claim Construction Discovery	September 23, 2019	October 7, 2019
Submit Opening Claim Construction Brief	October 7, 2019	October 21, 2019

17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28

<sup>1</sup> AGIS Software produced the two deposition transcripts to ZTE on August 16, 2019.

<sup>2</sup> The Parties intend to file a Joint Letter to the Court summarizing the agreements made at the conference by August 20, 2019, as required by Magistrate Judge Spero's Order (Dkt. 81).

<sup>3</sup> The Parties note that, as Defendant's Motion to Dismiss (Dkt. 41) is still pending, Defendant AGIS Software has not yet filed an answer to Plaintiff ZTE's complaint or alleged infringement against ZTE. The Parties are nonetheless proceeding in order to comply with the deadlines set forth in the Court's scheduling orders.

1	Submit Responsive Claim Construction Brief	October 21, 2019	November 4, 2019
2			
3	Submit Reply Claim Construction Brief	October 28, 2019	November 11, 2019
4	Claim Construction Hearing	December 4, 2019; 1:00 p.m.	December 18, 2019; 1:00 p.m.

5 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

6  
7 Dated: August 20, 2019

Respectfully submitted,

8 /s/ Bradford C. Schulz

9 Michael Liu Su (Cal. Bar No. 300590)  
10 michael.liu.su@finnegan.com  
11 FINNEGAN, HENDERSON, FARABOW,  
12 GARRETT & DUNNER, LLP  
13 3300 Hillview Avenue  
14 Palo Alto, CA 94304  
15 Telephone: (650) 849-6600  
16 Facsimile: (650) 849-6666

17 Lionel M. Lavenue (pro hac vice)  
18 lionel.lavenue@finnegan.com  
19 Bradford C. Schulz (pro hac vice)  
20 bradford.schulz@finnegan.com  
21 FINNEGAN, HENDERSON, FARABOW,  
22 GARRETT & DUNNER, LLP  
23 Two Freedom Square  
24 11955 Freedom Drive  
25 Reston, VA 20190  
26 Telephone: (571) 203-2700  
27 Facsimile: (202) 408-4400

28 Samhitha M. Medatia (*pro hac vice*)  
Samhitha.medatia@finnegan.com  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP  
271 17<sup>th</sup> Street, NW  
Suite 1400  
Atlanta, GA 30363  
Telephone: (404) 653-6400  
Facsimile: (202) 408-4400

Attorneys for Plaintiff  
ZTE (USA) Inc.

1 Dated: August 20, 2019

Respectfully submitted,

2 /s/ Alessandra C. Messing

3 Peter Lambrianakos (pro hac vice)

plambrianakos@brownrudnick.com

4 Vincent J. Rubino, III (pro hac vice)

vrubino@brownrudnick.com

5 Alfred R. Fabricant (pro hac vice)

afabricant@brownrudnick.com

6 Alessandra C. Messing (pro hac vice)

amessing@brownrudnick.com

Brown Rudnick LLP

7 Times Square

8 New York, NY 10036

9 Telephone: (212) 209-4800

10 Facsimile: (212) 209-4801

11 Sarah G. Hartman (Cal. Bar No. 281751)

shartman@brownrudnick.com

12 Arjun Sivakumar (Cal. Bar No. 297787)

asivakumar@brownrudnick.com

13 Brown Rudnick LLP

14 2211 Michelson Drive, Seventh Floor

Irvine, California 92612

15 Telephone: (949) 752-7100

16 Facsimile: (949) 252-1514

17 Attorneys for Defendant

18 AGIS SOFTWARE DEVELOPMENT LLC

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.