

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 Attorneys for Plaintiff  
21 ZTE (USA) Inc.

Sarah G. Hartman (Cal. Bar No. 281751)  
shartman@brownrudnick.com  
Alfred R. Fabricant (*pro hac vice*)  
afabricant@brownrudnick.com  
Peter Lambrianakos (*pro hac vice*)  
plambrianakos@brownrudnick.com  
Vincent J. Rubino, III (*pro hac vice*)  
vrubino@brownrudnick.com  
Brown Rudnick LLP  
7 Times Square  
New York, NY 10036  
Telephone: (212) 209-4800  
Facsimile: (212) 209-4801

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**

ZTE (USA) INC.,

Plaintiff(s),

vs.

AGIS SOFTWARE DEVELOPMENT LLC,

Defendant(s).

)  
) Case Number: 4:18-cv-06185-HSG  
) (Former Case No. 2:17-cv-00517-JRG) (E.D.  
) Tex.)

) **JOINT STIPULATION AND**  
) **~~PROPOSED~~ ORDER TO AMEND**  
) **SCHEDULING ORDER (DKT. 73) AND**  
) **EXTEND ADR DEADLINE (DKT. 56)**  
) (As Modified)

1                   **JOINT STIPULATION AND [~~PROPOSED~~] ORDER TO AMEND SCHEDULING**  
2   **ORDER AND EXTEND ADR DEADLINE**

3                   Pursuant to Federal Rule of Civil Procedure 16(b), Civil Local Rules 6-2 and 7-12, and  
4 the Court's Scheduling Order (Dkt. 73) and the Order re: ADR Deadline (Dkt. 56), Plaintiff ZTE  
5 (USA) Inc. ("ZTE") and Defendant AGIS Software Development LLC ("AGIS Software")  
6 (collectively, the "Parties"), hereby stipulate and agree as follows:

7                   **WHEREAS**, on April 4, 2019, to allow sufficient time for the Parties to complete  
8 mediation, the Court granted the Parties' request to extend the ADR deadline from April 17,  
9 2019 to June 21, 2019 (Dkt. 56);

10                   **WHEREAS**, on April 15, 2019, the Court signed and entered an amended Scheduling  
11 Order (Dkt. 63), which modified the previous Scheduling Order (Dkt. 25);

12                   **WHEREAS**, on May 17, 2019, to allow the Parties time to confer regarding the Parties'  
13 discovery disputes, the Court granted the Parties' request to extend Plaintiff's Invalidation  
14 Contentions and Plaintiff's Production from May 20, 2019 to June 3, 2019; and the Court  
15 granted the Parties' request to extend the Parties' Exchange of Proposed Claim terms from June  
16 3, 2019 to June 10, 2019;

17                   **WHEREAS**, the parties were scheduled to conduct mediation on June 4, 2019 with Hon.  
18 James Ware (Ret.) as mediator, however, due to a medical emergency of mediator, the Parties  
19 were unable to complete mediation on that date;

20                   **WHEREAS**, the next available date for both Parties and the mediator is in August 2019,  
21 which is after the current June 21, 2019 ADR mediation deadline;

22                   **WHEREAS**, to allow sufficient time for the Parties to complete the rescheduled  
23 mediation, the Parties have agreed that good cause exists to extend the ADR deadline to August  
24 23, 2019;

25                   **WHEREAS**, on June 14, 2019, the Parties met and conferred in Magistrate Judge  
26 Spero's courtroom to discuss certain discovery disputes;

1           **WHEREAS**, to allow the Parties time to resolve such discovery disputes as agreed  
 2 during the meet and confer, the Parties have agreed that good cause exists to extend the  
 3 discovery deadlines as described below;

4           **IT IS HEREBY STIPULATED AND AGREED**, by and between Plaintiff and  
 5 Defendant, through their respective undersigned counsel, that the upcoming deadlines set forth in  
 6 the Scheduling Order (Dkt. 73) be modified as follows:

Event	Previous Dates	Amended Dates
Exchange Preliminary Claim Constructions and Extrinsic Evidence	June 24, 2019	August 2, 2019
Damages Contentions	July 1, 2019	August 9, 2019
Joint Claim Construction and Prehearing Statement	July 3, 2019	August 13, 2019
Exchange Expert Declarations in Support of Claim Construction, if Any	July 3, 2019	August 13, 2019
Responsive Damages Contentions	July 29, 2019	September 6, 2019
Complete Claim Construction Discovery	August 5, 2019	September 13, 2019
Submit Opening Claim Construction Brief	August 20, 2019	September 30, 2019
Submit Responsive Claim Construction Brief	September 3, 2019	October 14, 2019
Submit Reply Claim Construction Brief	September 10, 2019	October 21, 2019
Claim Construction Hearing	October 2, 2019; 1:00 p.m.	November 12, 2019; 1:00 p.m.

21           **IT IS FURTHER HEREBY STIPULATED AND AGREED**, by and between Plaintiff  
 22 and Defendant, through their respective undersigned counsel, that the deadline to complete ADR,  
 23 currently set for June 21, 2019 (Dkt. 56), shall be continued to **August 23, 2019**.

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

2  
3 Dated: June 19, 2019

4 Respectfully submitted,

5 /s/ Michael Liu Su

6 Michael Liu Su (Cal. Bar No. 300590)  
7 michael.liu.su@finnegan.com  
8 FINNEGAN, HENDERSON, FARABOW,  
9 GARRETT & DUNNER, LLP  
10 3300 Hillview Avenue  
11 Palo Alto, CA 94304  
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15 lionel.lavenue@finnegan.com  
16 Bradford C. Schulz (pro hac vice)  
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18 FINNEGAN, HENDERSON, FARABOW,  
19 GARRETT & DUNNER, LLP  
20 Two Freedom Square  
21 11955 Freedom Drive  
22 Reston, VA 20190  
23 Telephone: (571) 203-2700  
24 Facsimile: (202) 408-4400

25 Attorneys for Plaintiff  
26 ZTE (USA) Inc.

27  
28 Dated: June 19, 2019

Respectfully submitted,

/s/ Sarah G. Hartman

29 Sarah G. Hartman (Cal. Bar No. 281751)  
30 shartman@brownrudnick.com  
31 Alfred R. Fabricant (pro hac vice)  
32 afabricant@brownrudnick.com  
33 Peter Lambrianakos (pro hac vice)  
34 plambrianakos@brownrudnick.com  
35 Vincent J. Rubino, III (pro hac vice)  
36 vrubino@brownrudnick.com  
37 Brown Rudnick LLP  
38 7 Times Square

1 New York, NY 10036  
2 Telephone: (212) 209-4800  
3 Facsimile: (212) 209-4801

4 Arjun Sivakumar (Cal. Bar No. 297787)  
5 asivakumar@brownrudnick.com  
6 Brown Rudnick LLP  
7 2211 Michelson Drive, Seventh Floor  
8 Irvine, California 92612  
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10 Facsimile: (949) 252-1514

11 Attorneys for Defendant  
12 AGIS SOFTWARE DEVELOPMENT LLC


13 **ATTESTATION**

14 I, Michael Liu Su, hereby attest that concurrence in the filing of this document has been  
15 obtained from each of the other Signatories indicated by a confirmed signature (/s/) within this e-  
16 filed document.

17 */s/ Michael Liu Su* \_\_\_\_\_  
18 Michael Liu Su

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED**, except the  
20 claim construction hearing will be held on November 20, 2019 at 1:00 p.m.

21 Dated: 6/21/2019

22   
23 The Honorable Haywood S. Gilliam Jr.  
24 U.S. District Court Judge  
25 Northern District of California