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10 Attorneys for Defendant
11 Kickstarter, PBC

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 **SAN JOSE**

15 IN RE: PERSONALWEB
16 TECHNOLOGIES, LLC, ET AL.,
17 PATENT LITIGATION

Case No. 5:18-md-02834-BLF

18 PersonalWeb Technologies, LLC and
19 Level 3 Communications, LLC

Case No. 5:18-cv-03997-BLF

20 Plaintiffs,

21 v.

22 Kickstarter, PBC

23 Defendant.

**DEFENDANT KICKSTARTER,
PBC'S ADMINISTRATIVE
MOTION TO APPEAR
TELEPHONICALLY FOR THE
TUTORIAL AND CASE
MANAGEMENT CONFERENCE
ON NOVEMBER 2, 2018**

1 Pursuant to Civil Local Rule 7-11 and Section C.5 of the Standing Order for
2 Civil Cases of the Honorable Beth Labson Freeman, Defendant Kickstarter, PBC
3 (“Kickstarter”) hereby requests that its lead counsel, Michael J. Zinna, Esq. of the
4 law firm Kelley Drye & Warren LLP, located at 101 Park Avenue, New York, New
5 York 10178 be permitted to telephonically attend the Tutorial and Case
6 Management Conference scheduled for November 2, 2018, at 9:00 a.m. on the
7 following grounds:

8 1. Pursuant to Section C.5 of the Standing Order, “Telephonic appearances
9 are generally permitted for Case Management Conferences.” Since Mr. Zinna is
10 located in New York, New York and the Tutorial and Case Management Conference
11 is being held in San Jose, California, appearing telephonically will avoid the
12 expense and burden of long distance travel to San Jose, California. Mr. Zinna did
13 appear at the September 20, 2018 Case Management Conference in person.

14 2. Counsel from Fenwick & West LLP will be appearing at Case Management
15 Conference and presenting the tutorial on behalf of Amazon.com, Inc. and Amazon
16 Web Services, Inc. (collectively, “Amazon”). Kickstarter is one of the customer
17 cases currently on hold while the Court proceeds with the Amazon DJ action,
18 therefore, Mr. Zinna’s role at the Tutorial and Case Management Conference would
19 be limited to observing the proceedings.

20 3. Permitting Mr. Zinna to appear telephonically will cause no undue hardship
21 or prejudice to any party.

22 4. Counsel for Plaintiffs does not object to this request.

23 Wherefore, Kickstarter respectfully requests that the Court permit Mr. Zinna to
24 appear telephonically at the Tutorial and Case Management Conference on November
25 2, 2018.

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Respectfully submitted,

Dated: October 31, 2018

KELLEY DRYE & WARREN LLP

By: /s/ Michael J. Zinna
Michael J. Zinna
Attorneys for Defendant
KICKSTARTER, PBC