Case 5:18-md-02834-BLF Document 395 Filed 04/02/19 Page 1 of 4

| 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 | MICHAEL A. SHERMAN (SBN 94783) masherman@stubbsalderton.com JEFFREY F. GERSH (SBN 87124) jgersh@stubbsalderton.com SANDEEP SETH (SBN 195914) sseth@stubbsalderton.com WESLEY W. MONROE (SBN 149211) wmonroe@stubbsalderton.com STANLEY H. THOMPSON, JR. (SBN 198825) sthompson@stubbsalderton.com VIVIANA BOERO HEDRICK (SBN 239359) vhedrick@stubbsalderton.com STUBBS, ALDERTON & MARKILES, LLP 15260 Ventura Blvd., 20th Floor Sherman Oaks, CA 91403 Telephone: (818) 444-4500 Facsimile: (818) 444-4500 Facsimile: (818) 444-4520 Attorneys for PersonalWeb Technologies, LLC [Additional Attorneys listed below] JOSE L. PATIÑO, (SBN 149568) jpatino@foley.com CHRISTOPHER C. BOLTEN, (SBN 268284) cbolten@foley.com FOLEY & LARDNER LLP 3579 Valley Centre Drive, Suite 300 San Diego, California 92130 Telephone: (858) 847.6700 Facsimile: (858) 792.6773 | J. DAVID HADDEN (CSB No. 176148) dhadden@fenwick.com SAINA S. SHAMILOV (CSB No. 215636) sshamilov@fenwick.com TODD R. GREGORIAN (CSB No. 236096) tgregorian@fenwick.com PHILLIP J. HAACK (CSB No. 262060) phaack@fenwick.com RAVI R. RANGANATH (CSB No. 272981) rranganath@fenwick.com FENWICK & WEST LLP Silicon Valley Center 801 California Street Mountain View, CA 94041 Telephone: 650.988.8500 Facsimile: 650.938.5200 Attorneys for Defendant Yotpo, Ltd. | | | |
|---|--|---|--|--|--|
| 17 | Attorneys for Level 3 Communications, LLC [Additional Attorneys listed below] | | | | |
| 18 | UNITED STATES DISTRICT COURT | | | | |
| 19 20 | NORTHERN DISTRICT OF CALIFORNIA | | | | |
| 21 | SAN JOSE DIVISION | | | | |
| 22 | IN RE PERSONALWEB TECHNOLOGIES, LLC, ET AL., PATENT LITIGATION | CASE NO.: 5:18-md-02834-BLF | | | |
| 23 | DEDGOVAL WED TECHNIOLOGIEG LLG | Case No.: 5:18-cv-03452-BLF | | | |
| 24 | PERSONALWEB TECHNOLOGIES, LLC, ET AL., | | | | |
| 25 | Plaintiffs, | JOINT STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME TO SERVE FOREIGN DEFENDANT YOTPO LTD | | | |
| 26 | V. | | | | |
| 27 | YOTPO LTD., an Israel corporation, | | | | |
| 28 | Defendant. | | | | |



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| 1 | Plaintiffs PersonalWeb Technologies, LLC and specially appearing defendant Yotpo, Ltd | | | |
|----|--|--|--|--|
| 2 | ("Yotpo"), an Israeli corporation, by and through their attorneys of record, hereby submit this join | | | |
| 3 | stipulation requesting that this Court extend the date to complete service on Yotpo under the Hague | | | |
| 4 | Convention from April 2, 2019 to June 3, 2019. | | | |
| 5 | RECITALS | | | |
| 6 | 1. On January 2, 2019, the Court granted the Joint Stipulation to Extend Time to Serve | | | |
| 7 | Foreign Defendants, including Yotpo, giving PersonalWeb until April 2, 2019 to serve Yotpo (Dk | | | |
| 8 | No. 333.) | | | |
| 9 | 2. On or around March 15, 2019, PersonalWeb received a Certificate of service from the | | | |
| 10 | Central Authorities in Israel attesting that certain documents had been served on Yotpo on January 15 | | | |
| 11 | 2019, but the Certificate did not identify the actual documents served. PersonalWeb requests | | | |
| 12 | additional time to obtain clarification from the Central Authorities in Israel regarding the Certificate | | | |
| 13 | of service, and to attend to any further efforts that may be needed regarding service of the summons | | | |
| 14 | and operative complaint on Yotpo. | | | |
| 15 | 3. Yotpo does not oppose PersonalWeb's requested extension, but takes no position on | | | |
| 16 | the effectiveness on PersonalWeb's attempted service. | | | |
| 17 | NOW THEREFORE, PersonalWeb and Yotpo hereby stipulate and agree that PersonalWeb | | | |
| 18 | shall have until June 3, 2019 to complete service on Yotpo under the Hague Convention. | | | |
| 19 | Respectfully submitted, | | | |
| 20 | Dated: April 2, 2019 STUBBS, ALDERTON & MARKILES, LLP | | | |
| 21 | | | | |
| 22 | By: <u>/s/ Michael A. Sherman</u> Michael A. Sherman | | | |
| 23 | Jeffrey F. Gersh Sandeep Seth | | | |
| 24 | Wesley W. Monroe Stanley H. Thompson, Jr. | | | |
| 25 | Viviana Boero Hedrick ATTORNEYS FOR PERSONALWEB | | | |
| 26 | TECHNOLOGIES, LLC | | | |
| 27 | | | | |

¹ Yotpo specially appears for PersonalWeb's administrative convenience in seeking the requested extension, and expressly reserves its defenses, including its right to challenge personal jurisdiction.



| | Ca | ase 5:18-md-02834-BLF | Document 395 Filed 04/02/19 Page 3 of 4 |
|----------|--------|-----------------------|---|
| 1 | Dated: | April 2, 2019 | MACEIKO IP |
| 2 | | | By: /s/ Theodore S. Maceiko Theodore S. Maceiko (SBN 150211) |
| 3 | | | ted@maceikoip.com MACEIKO IP 420 2nd Street |
| 5 | | | Manhattan Beach, California 90266 Telephone: (310) 545-3311 |
| 6 | | | Facsimile: (310) 545-3344 Attorneys for Defendant and Counter-Plaintiff PERSONALWEB TECHNOLOGIES, LLC |
| 7 | | | TERROTAL WED TECHNOLOGIES, ELC |
| 8 | Dated: | April 2, 2019 | FENWICK & WEST, LLP |
| 9 | | | By: /s/ Todd R. Gregorian |
| 10 | | | Todd R. Gregorian Attorney for Defendants LESSON NINE |
| 11 | | | GMBH and YOPTO, LTD |
| 12 | Dated: | April 2, 2019 | FOLEY & LARDNER, LLP |
| 13 | | | By: /s/ Jose L. Patiño |
| 14 | | | Jose L. Patiño jpatino@foley.com |
| 15 | | | Christopher C. Bolten cbolten@foley.com |
| 16 17 | | | Attorneys for Defendant and Counter-Plaintiff LEVEL 3 COMMUNICATIONS, LLC |
| 18 | Dated: | April 2, 2019 | DAVID D. WIER |
| 19 | | | By: /s/ David D. Wier |
| 20 | | | David D. Wier (Pro Hac Vice) david.wier@level3.com |
| 21 | | | Level 3 Communications, LLC 1025 Eldorado Boulevard |
| 22 | | | Broomfield, CO 80021 Telephone: (720) 888-3539 |
| 23 | | | Attorneys for Defendant and Counter-Plaintiff |
| 24 | | | LEVEL 3 COMMUNICATIONS, LLC |
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| | Case 5.18-1110-02834-BLF Document 395 Filed 04/02/19 Page 4 01 4 | | |
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| 1 | <u>ATTESTATION</u> | | |
| 2 | The undersigned attests that concurrence in the filing of the forgoing document was obtained | | |
| 3 | from all of its signatories. | | |
| 4 | Dated: April 2, 2019 STUBBS, ALDERTON & MARKILES, LLP | | |
| 5 | | | |
| 6 | By: <u>/s/ Viviana Boero Hedrick</u> Viviana Boero Hedrick | | |
| 7 | VIVIANA BOCIO TICUITEK | | |
| 8 | PURSUANT TO STIPULATION, IT IS SO ORDERED. | | |
| 9 | | | |
| 10 | Date: Honorable Beth Labson Freeman | | |
| 11 | United States District Judge | | |
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