1 2	Richard Basile (2268722NY) rbasile@murthalaw.com Murtha Cullina LLP			
3	177 Broad Street Stamford, CT 06901			
4	Telephone: 203.653.5412 Facsimile: 203.653.5400			
5	Attorney for NRT LLC			
6	and NRT NEW YORK LLC			
7	UNITED STATES DISTRICT COURT			
8	NOTHERN DISTRICT OF CALIFORINIA SAN JOSE DIVISION			
9	IN RE: PERSONAL WEB TECHNOLOGIES, LLC ET AL., PATENT LITIGATION,	MULTI DISTRICT LITIGATION Case No.: 5:18-MD-02834 -BLF		
11				
12	This document relates to the matter captioned			
13	Personal Web Technologies, LLC and Level 3 Communications, LLC, C.A. No. 18-cv-1144-	JOINT STIPULATION EXTENDING TIME FOR DEFENDANTS NRT LLC		
14	GMS, transferred from the United States District Court for the District of Delaware.	AND NRT NEW YORK LLC, D/B/A CITI		
15		HABITATS, TO RESPOND TO COMPLAINT		
16				
17	Pursuant to Civil L.R. 6-1(a), the undersigned parties to this multidistrict litigation (the			
18	"Parties") hereby stipulate and recite as follows:			
19	WHEREAS, on or about August 1, 2018, Plaintiffs Personal Web Technologies, LLC			
20	and Level 3 Communications, LLC ("Plaintiffs") commenced an action against NRT LLC and			
21	NRT New York LLC (d/b/a Citi Habitats) ("NRT Defendants"), by filing a complaint in the			
22	United States District Court for the District of Delaware, Docket No. 18-cv-1144-GMS			
23	("Delaware Action"), which was served on the NRT Defendants on or about August 2, 2018;			
24	WHEREAS, on or about August 10, 2018, Plaintiffs filed a Notice of Filing Notice of			
25	Potential "Tag-Along Actions" with the Judicial Panel on Multidistrict Litigation, naming the			
26	Delaware Action as one of several recently-filed actions that were related to the above-			
27	captioned Multidistrict Litigation proceeding in the Northern District of California, referred to			
28				
	Lint Ction lating Futuraling Time			
	Joint Stipulation Extending Time For Defendants To Respond To Complaint 9447340v1	Case No. 5:18-MD-02834 -BLF		



23

24

25 26

27

28

as In re PersonalWeb Technologies, LLC et al., Patent Litigation, Case No. 18-md-02834-BLF (the "Multidistrict Litigation"):

WHEREAS, the parties agree that this lawsuit is a tag-along action to the Multidistrict Litigation;

WHEREAS, on or about August 15, 2018, the Judicial Panel on Multidistrict Litigation issued a Conditional Transfer Order;

WHEREAS, on or about August 20, 2018, the United States District Court for the District of Delaware (Sleet, J.) entered an order electronically transferring the Delaware Action to this Court for further coordinated or consolidated proceedings in the Multidistrict Litigation;

WHEREAS, previously on July 13, 2018, the court in the Multidistrict Litigation issued an Order granting a joint stipulation continuing the Preliminary Case Management Conference in the Multidistrict Litigation (Dkt. No. 26, the "Continued CMC Order");

WHEREAS, as part of the Continued CMC Order, the Multidistrict Litigation court permitted the parties to file a stipulation extending any defendant's deadline to respond to the complaint up to a date that is two weeks after the Preliminary Case Management Conference without obtaining a court order (*Id.*);

WHEREAS, on July 18, 2018, the MDL court issued an Order setting the Preliminary Case Management Conference for September 20, 2018 (MDL, Dkt. No. 28, the "Reset CMC Order");

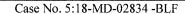
WHEREAS, the Preliminary Case Management Conference in this action is currently scheduled for September 20, 2018, and two weeks thereafter is October 4, 2018;

WHEREAS, pursuant to a stipulation that was then made part of the Continued CMC Order, this Court also agreed to stay all cases that were part of this Multidistrict Litigation until September 20, 2018;

WHEREAS, the NRT Defendants agree to join in the preparation of the Preliminary Case Management Conference Statement in the MDL, currently due one week before the MDL's Preliminary Case Management Conference on September 13, 2018;

2

Joint Stipulation Extending Time For Defendants To Respond To Complaint





Case 5:18-md-02834-BLF Document 46 Filed 08/23/18 Page 3 of 4

1		
2		I
3		
4		(
5		I
6		(
7		
8		
9		e
10		t
11		
12		S
13		t
14		Ι
15		1
16		
17		
18		
19		
20		
21		
22	Ш	

WHEREAS, the NRT Defendants further agree to attend and participate	in the	MDL's
Preliminary Case Management Conference currently scheduled for September 20), 201	8;

WHEREAS, this Court previously accepted a Joint Stipulation, dated August 17, 2018 ECF # 39) between Plaintiffs and numerous other named defendants in this Multidistrict Litigation, extending the deadline for each such defendant to respond to the operative Complaint until two weeks after the date of the Preliminary Case Management Conference;

WHEREAS, the NRT Defendants' current response deadline is August 23, 2018;

WHEREAS, the NRT Defendants have requested, and the Plaintiffs have agreed to, an extension of time up to and including October 4, 2018 to file an answer or otherwise respond to he operative Complaint in this action;

THE PARTIES HEREBY STIPULATE and jointly request that the NRT Defendants shall have up to and including October 4, 2018 to submit an answer or otherwise response to he operative Complaint in this action.

Dated this 23rd of August, 2018.

Joint Stipulation Extending Time

Respectfully submitted,

MURTHA CULLINA LLP

/s/ Richard J. Basile

Richard J. Basile (Appearance Pro Hac Vice Pending) Attorney for Defendants NRT LLC and NRT NEW YORK LLC

For Defendants To Respond To Complaint

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



23

24

25

26

27

28

3

Case 5:18-md-02834-BLF Document 46 Filed 08/23/18 Page 4 of 4 Dated this 23rd of August, 2018. 2 STUBBS, ALDERTON & MARKILES, LLP 3 4 /s/ Michael A. Sherman 5 Michael A. Sherman Jeffrey F. Gersch 6 Sandeep Seth Wesley W. Monroe 7 Viviana Boero Hedrick 8 Attorneys for Plaintiff Attorneys for Defendants 9 PERSONAL WEB TECHNOLGIES 10 11 **ATTESTATION** 12 The undersigned hereby attests that concurrence in the filing of this document was 13 obtained from all its signatories. 14 15 Dated this 23rd of August, 2018. 16 Respectfully submitted, 17 /s/ Richard J. Basile 18 Richard J. Basile 19 (Appearance Pro Hac Vice Pending) Attorney for Defendants 20 NRT LLC and NRT NEW YORK LLC 21 22 23 24 25 26 27 28 Joint Stipulation Extending Time Case No. 5:18-MD-02834 -BLF For Defendants To Respond To Complaint

