

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
BOISE

1 J. DAVID HADDEN (CSB No. 176148)  
dhadden@fenwick.com  
2 RAVI R. RANGANATH (CSB No. 272981)  
rranganath@fenwick.com  
3 CHIEH TUNG (CSB No. 318963)  
ctung@fenwick.com  
4 FENWICK & WEST LLP  
SILICON VALLEY CENTER  
5 801 CALIFORNIA STREET  
MOUNTAIN VIEW, CA 94041  
6 TELEPHONE: 650.988.8500  
FACSIMILE: 650.938.5200

7 Attorneys for MATCH GROUP, INC. and  
8 MATCH GROUP LLC

MICHAEL A. SHERMAN (SBN 94783)  
masherman@stubbsalderton.com  
JEFFREY F. GERSH (SBN 87124)  
jgersh@stubbsalderton.com  
WESLEY W. MONROE (SBN 149211)  
wmonroe@stubbsalderton.com  
VIVIANA B. HEDRICK (SBN 239359)  
vhedrick@stubbsalderton.com  
STUBBS ALDERTON MARKILES, LLP  
15260 VENTURA BOULEVARD, 20<sup>TH</sup>  
FLOOR  
SHERMAN OAKS, CA 91403  
TELEPHONE: (818) 444-4500  
FACSIMILE: (818) 444-4520

ATTORNEYS FOR PERSONALWEB  
TECHNOLOGIES, LLC

DAVID D. WIER  
david.wier@level3.com  
Assistant General Counsel  
1025 Eldorado Boulevard  
Broomfield, CO 80021  
Telephone: (720) 888-3539

ATTORNEY FOR LEVEL 3  
COMMUNICATIONS, LLC

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN JOSE DIVISION

19  
20 IN RE: PERSONAL WEB TECHNOLOGIES,  
LLC ET AL.

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

21  
22  
23 PERSONALWEB TECHNOLOGIES LLC and  
LEVEL 3 COMMUNICATIONS LLC,

Case No.: 5:18-cv-03462-BLF

24 Plaintiffs,

**JOINT STIPULATION AND  
[PROPOSED] ORDER EXTENDING  
TIME FOR DEFENDANT TO  
RESPOND TO FIRST AMENDED  
COMPLAINT**

25 v.

26 MATCH GROUP, INC. and MATCH GROUP  
LLC,

27 Defendants.  
28

1 Pursuant to Civil L.R. 6-1 and 6-2, plaintiffs PersonalWeb Technologies, LLC and Level  
2 3 Communications, LLC (collectively “PersonalWeb”) and defendants Match Group, Inc. and  
3 Match Group LLC (“Match Group”) hereby stipulate and recite as follows:

4 WHEREAS, on January 24, 2018, PersonalWeb filed a Complaint (Dkt. No. 1) for patent  
5 infringement naming Match Group, Inc. and Match Group LLC as defendants;

6 WHEREAS, on February 15, 2018, Match Group, Inc. executed a waiver of service (Dkt.  
7 No. 6), setting Match Group, Inc.’s deadline to answer or otherwise respond to the Complaint to  
8 June 8, 2018;

9 WHEREAS, on February 20, 2018, Amazon.com, Inc. and Amazon Web Services, Inc.  
10 (collectively “Amazon”) filed a motion for preliminary injunction to enjoin this case and other  
11 similar patent infringement lawsuits that PersonalWeb filed against other website operators (Dkt.  
12 No. 15; *Amazon.com, Inc. et al. v. PersonalWeb Tech., LLC et al.*, Case No. 5:18-cv-00767-BLF  
13 (N.D. Cal.));

14 WHEREAS, on March 10, 2018, PersonalWeb and Match Group, Inc. filed a stipulation  
15 (Dkt. No. 10) to extend the time for Match Group, Inc. to answer or otherwise respond to the  
16 Complaint to June 15, 2018 and the Court granted that stipulation on March 23, 2018;

17 WHEREAS, on April 12, 2018, Match Group LLC executed waiver of service (Dkt. No.  
18 15), setting Match Group LLC’s deadline to answer or otherwise respond to the Complaint to June  
19 8, 2018;

20 WHEREAS, on April 13, 2018, PersonalWeb and Match Group LLC filed a stipulation  
21 (Dkt. No. 16) to extend time for Match Group LLC to answer or otherwise respond to the Complaint  
22 to June 15, 2018, and the Court granted that stipulation on April 17, 2018;

23 WHEREAS, on April 13, 2018, PersonalWeb filed a motion to dismiss Amazon’s First  
24 Amended Complaint in the Amazon DJ action (Dkt. No. 43; *Amazon.com, Inc. et al. v.*  
25 *PersonalWeb Tech., LLC et al.*, Case No. 5:18-cv-00767-BLF (N.D. Cal.));

26 WHEREAS, on April 3, 2018, Match Group, Inc. filed a motion to stay this case (Dkt. No.  
27 11) pending resolution of Amazon’s DJ action and that motion is fully briefed;

28 WHEREAS, on April 27, 2018, this Court held a hearing on Amazon’s preliminary

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1 injunction motion and motions to stay in fourteen suits PersonalWeb filed against website  
2 operators;

3 WHEREAS, at the April 27, 2018 hearing, the parties agreed to a stay of fourteen actions  
4 against other website operators until the June 7, 2018 hearing on PersonalWeb's motion to dismiss  
5 Amazon's First Amended Complaint (*Amazon.com, Inc. et al. v. PersonalWeb Tech., LLC et al.*,  
6 Case No. 5:18-cv-00767-BLF (N.D. Cal.));

7 WHEREAS, on May 11, 2018, PersonalWeb withdrew its motions to dismiss Amazon's  
8 First Amended Complaint (Dkt. No. 59; *Amazon.com, Inc. et al. v. PersonalWeb Tech., LLC et al.*,  
9 Case No. 5:18-cv-00767-BLF (N.D. Cal.)), and the June 7, 2018 hearing was taken off calendar;

10 WHEREAS, on May 29, 2018, PersonalWeb filed a First Amended Complaint (Dkt. No.  
11 21) and Match Group's deadline to answer or otherwise respond to that First Amended Complaint  
12 is June 15, 2018;

13 WHEREAS, on June 6, 2018, the Chair of the Panel on Multidistrict Litigation granted  
14 PersonalWeb's motion to centralize pretrial proceedings and ordered the transfer of this case from  
15 the District of Delaware to the Northern District of California (Dkt. No. 38, *In re PersonalWeb*  
16 *Technologies, LLC et al.* (MDL No. 2834); Dkt. No. 22, *Personal Web Technologies et al v. Match*  
17 *Group, LLC et al*, Case No. 1:18-cv-00136-GMS (D. Del)).

18 WHEREAS, Match Group, Inc.'s motion to stay this case remains pending;

19 WHEREAS, Match Group has requested, and PersonalWeb has agreed to, an extension of  
20 time, up to and including August 16, 2018, for Match Group to file an answer or otherwise respond  
21 to Personal Web's First Amended Complaint (Dkt. No. 21);

22 WHEREAS, the parties may consider an additional extension of the deadline for Match  
23 Group to file an answer or otherwise respond to the First Amended Complaint if the Court has not  
24 yet issued an order on Match Group, Inc.'s motion to stay (Dkt. No. 11) as of August 2, 2018;

25 WHEREAS, the parties do not expect that this change will impact any other dates already  
26 fixed by Court Order;

27 THE PARTIES HEREBY STIPULATE and jointly request that Match Group shall have  
28 up to and including August 16, 2018 to submit an answer or otherwise respond to PersonalWeb's

1 First Amended Complaint (Dkt. No. 21).

2 Respectfully submitted,

3 Dated: June 14, 2018 FENWICK & WEST LLP

4  
5 By: /s/ J. David Hadden  
6 J. David Hadden  
7 Attorneys for Defendants  
MATCH GROUP, INC. and MATCH GROUP  
LLC

8 Dated: June 14, 2018 STUBBS ALDERTON MARKILES, LLP

9  
10 By: /s/ Michael A. Sherman  
11 Michael A. Sherman  
Attorneys for Plaintiff  
PERSONALWEB TECHNOLOGIES, LLC

12 Dated: June 14, 2018 DAVID D. WIER

13  
14 By: /s/ David D. Wier  
15 David D. Wier  
16 Attorneys for Plaintiff  
LEVEL 3 COMMUNICATIONS, LLC

17 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

18 Dated: \_\_\_\_\_  
19 \_\_\_\_\_  
20 Honorable Beth Labson Freeman  
United States District Judge

21 **ATTESTATION**

22 Counsel for Match Group hereby attests by his signature below that concurrence in the filing  
23 of this document was obtained from counsel for PersonalWeb and Level 3.

24  
25 Dated: June 14, 2018 FENWICK & WEST LLP

26  
27 /s/ J. David Hadden  
28 J. David Hadden  
Attorney for Defendants  
MATCH GROUP, INC. and MATCH GROUP LLC

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