

1 MICHAEL A. SHERMAN (SBN 94783)
 masherman@stubbsalderton.com
 2 JEFFREY F. GERSH (SBN 87124)
 jgersh@stubbsalderton.com
 3 SANDEEP SETH (SBN 195914)
 sseth@stubbsalderton.com
 4 WESLEY W. MONROE (SBN 149211)
 wmonroe@stubbsalderton.com
 5 STANLEY H. THOMPSON, JR. (SBN 198825)
 sthompson@stubbsalderton.com
 6 VIVIANA B. HEDRICK (SBN 239359)
 vhedrick@stubbsalderton.com
 7 STUBBS ALDERTON MARKILES, LLP
 15260 Ventura Boulevard, 20TH Floor
 8 Sherman Oaks, CA 91403
 Telephone: (818) 444-4500
 9 Facsimile: (818) 444-4520

10 THEODORE S. MACEIKO (SBN 150211)
 ted@maceikoip.com
 11 MACEIKO IP
 420 2nd Street
 12 Manhattan Beach, CA 90266
 Telephone: (310) 545-3311
 13 Facsimile: (310) 545-3344

14 Attorneys for PERSONALWEB
 TECHNOLOGIES, LLC

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

18 IN RE PERSONAL WEB TECHNOLOGIES,
 19 LLC, ET AL., PATENT LITIGATION

CASE NO.: 5:18-md-02834-BLF-SVK

20 PERSONALWEB TECHNOLOGIES, LLC, a
 Texas limited liability company, and
 21 LEVEL 3 COMMUNICATIONS, LLC, a
 Delaware limited liability company

CASE NO.: 5:18-CV-05619-BLF-SVK

22 Plaintiffs,

**[PROPOSED] ORDER GRANTING
 PERSONALWEB TECHNOLOGIES,
 LLC'S MOTION TO COMPEL
 DEPOSITIONS OF TWITCH
 WITNESSES**

23 v.

24 TWITCH INTERACTIVE, INC. a Delaware
 corporation,

25 Defendant.

Trial Date: March 16, 2020

26
 27
 28

1 Having considered the joint statement on the motion by PersonalWeb Technologies, LLC to
2 compel depositions of Twitch Interactive, Inc. witnesses,

3 **IT IS HEREBY ORDERED** that the motion is granted and that Defendant Twitch Interactive,
4 Inc. (“Twitch”) is ordered to:

5 (1.) Designate, prepare, and produce for deposition a witness on Topics 1(c), 5(e), and 7(a)-
6 7(b), respectively; and

7 (2.) Designate, prepare, and produce for deposition the person or persons most
8 knowledgeable regarding:

- 9 a. How caching and cache control reduces costs and increases revenue or reduces
10 the cost of infrastructure and bandwidth; decreases load time; increases the
11 number of users; and increases advertising and subscriber revenues to Twitch
12 over its competitors;
- 13 b. the cost of adding infrastructure to meet demand for additional capacity;
- 14 c. how browser caching reduced infrastructure cost;
- 15 d. the total user numbers or webpage loads for the relevant time period;
- 16 e. how much the load time was reduced by HTTP caching;
- 17 f. the benefit to Twitch in reduced load time from using the accused cache
18 control;
- 19 g. load time benefit or the quantification thereof and the reduction in the
20 necessary bandwidth/infrastructure of its website due to cache control;
- 21 h. the benefits of HTTP caching to Twitch;
- 22 i. how page load time affected Twitch’s viewership or user base;
- 23 j. What efforts were made to decrease load times and how much was spent on
24 those efforts;
- 25 k. how caching reduced page load time and reduced infrastructure cost;
- 26 l. Specifics on the relationship between revenue and load time;
- 27 m. the number of active users and the amount of ad revenue for the relevant time
28 period, and the amount of page load time in that time period;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(3.) Produce Daniel MacIntyre;

(4.) Designate, prepare, and produce the person or persons most knowledgeable in response to PersonalWeb's July 29, 2019 30(b)(6) notice of deposition.

DATED: _____

Honorable Susan van Keulen
United States Magistrate Judge