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10 Attorneys for PERSONALWEB  
 TECHNOLOGIES, LLC  
 11 [Additional Attorneys listed below]

Counsel for AMAZON.COM, INC.,  
 AMAZON WEB SERVICES, INC., and  
 TWITCH INTERACTIVE, INC.

12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN JOSE DIVISION

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

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

17  
 18 AMAZON.COM, INC., and AMAZON WEB  
 SERVICES, INC.

Case No. 5:18-cv-00767-BLF

19 Plaintiffs,

**STIPULATION REGARDING TRIAL  
 WITNESSES**

20 v.

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

22 Defendants.

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

24 Counterclaimants,

25 v.

26 AMAZON.COM, INC., and AMAZON WEB  
 SERVICES, INC.,

27 Counterdefendants.  
 28

1 PERSONALWEB TECHNOLOGIES, LLC and  
2 LEVEL 3 COMMUNICATIONS, LLC,

3 Counterclaimants,

4 v.

5 TWITCH INTERACTIVE, INC., a Delaware  
6 corporation,

7 Counterdefendants.

Case No. 5:18-cv-05619-BLF

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1 Amazon.com, Inc. and Amazon Web Services, Inc. (collectively, “Amazon”), Twitch  
2 Interactive, Inc. (“Twitch”), and PersonalWeb Technologies, LLC (“PersonalWeb”) stipulate as  
3 follows:

4 WHEREAS, on August 20, 2019, pursuant to stipulation, the Court Ordered that fact discovery  
5 shall be extended only until the earlier of the last respective date on which Amazon and Twitch  
6 complete the depositions of Kevin Bermeister, David Farber, Ezra Goldman, and Ronald Lachman or  
7 September 30, 2019, solely for Twitch and Amazon to depose these witnesses and to obtain any  
8 discovery relating to the testimony of these witnesses;

9 WHEREAS, on August 20, 2019, pursuant to stipulation, the Court Ordered that fact discovery  
10 shall be extended only until the earlier of the last respective date on which PersonalWeb completes the  
11 depositions of Brad Marshall, Sanjay Vakharia, Michael Comperda and Jay Berlin or September 30,  
12 2019, solely for PersonalWeb to depose these witnesses and to obtain any discovery relating to the  
13 testimony of these witnesses;

14 WHEREAS, on September 12, 2019, Amazon and Twitch agreed to forego the depositions of  
15 Ezra Goldman and Ronald Lachman based on PersonalWeb’s representation that, should PersonalWeb  
16 decide to call these witnesses at trial, PersonalWeb will make these witnesses available for deposition  
17 sufficiently before trial;

18 WHEREAS, on September 13, 2019, PersonalWeb agreed to forego the deposition of Jay  
19 Berlin based on Amazon and Twitch’s representation that, should either one of them decide to call the  
20 witness at trial, or should Amazon or Twitch intend to produce or rely upon any other declaration from  
21 Mr. Berlin other than the one produced in this case as Bates Number AMZ\_PWT\_PA\_00007292-7293,  
22 they will make the witness available for deposition sufficiently before trial;

23 BASED ON THE FOREGOING, THE PARTIES HEREBY STIPULATE as follows:

- 24 1. To the extent PersonalWeb decides to call Ezra Goldman and/or Ronald Lachman as  
25 witnesses at trial, PersonalWeb will make Mr. Goldman and/or Mr. Lachman available for  
26 a deposition on a mutually agreeable date prior to trial;
- 27 2. To the extent Twitch and Amazon decide to call Jay Berlin as a witness at trial or intend to  
28 produce or rely upon any other declaration from Mr. Berlin other than the one produced as

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Bates Number AMZ\_PWT\_PA\_00007292-7293, Twitch and Amazon will make Mr. Berlin available for a deposition on a mutually agreeable date before trial.

Respectfully submitted,

Dated: September 27, 2019

STUBBS, ALDERTON & MARKILES, LLP

By: /s/ Viviana Boero Hedrick  
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Attorneys for  
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Dated: September 27, 2019

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Counsel for AMAZON.COM, INC., AMAZON  
WEB SERVICES, INC., and TWITCH  
INTERACTIVE, INC.

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**ATTESTATION**

The undersigned attests that concurrence in the filing of the foregoing document was obtained from all of its signatories.

Dated: September 27, 2019

FENWICK & WEST LLP

/s/ Melanie Mayer  
Melanie Mayer (admitted *pro hac vice*)

Counsel for AMAZON.COM, INC., AMAZON WEB SERVICES, INC., and TWITCH INTERACTIVE, INC.

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
Honorable Beth Labson Freeman  
United States District Court Judge