

ROBERT M. CHARLES, JR.
(*adm. pro hac vice*)
RCharles@lewisroca.com
PATRICK EMERSON MCCORMICK
(SBN 307298)
PMcCormick@lewisroca.com
LEWIS ROCA ROTHGERBER
CHRISTIE LLP
One South Church Ave., Ste. 2000
Tucson, AZ 85701-1611
Telephone: (520) 622-2090
Facsimile: (520) 622-3088

Attorneys for PERSONALWEB
TECHNOLOGIES, LLC

J. DAVID HADDEN (CSB No. 176148)
dhadden@fenwick.com
SAINA S. SHAMILOV (CSB No. 215636)
sshamilov@fenwick.com
MELANIE L. MAYER (*admitted pro hac vice*)
mmayer@fenwick.com
TODD R. GREGORIAN (CSB No. 236096)
tgregorian@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 AMAZON.COM, INC.,
AMAZON WEB SERVICES, INC., and
TWITCH INTERACTIVE, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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

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

Plaintiffs

v.

PERSONALWEB TECHNOLOGIES, LLC and
LEVEL 3 COMMUNICATIONS, LLC,

Defendants.

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

Plaintiffs,

v.

TWITCH INTERACTIVE, INC.,

Defendant.

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

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

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

**JOINT STIPULATION RE
SCHEDULE FOR MOTION SEEKING
POST-JUDGMENT RELIEF**

FENWICK & WEST LLP
ATTORNEYS AT LAW

1 WHEREAS, Plaintiff PersonalWeb Technologies, LLC (“PersonalWeb”) has accused
2 Defendants Amazon.com, Inc., Amazon Web Services, Inc., and Twitch Interactive, Inc.
3 (collectively, “Amazon”) (collectively, PersonalWeb and Amazon may be referred to as “Parties”)
4 of infringing, inter alia, U.S. Patent Nos. 7,802,310 and 6,928,442;

5 WHEREAS, on November 9, 2022, Magistrate Judge van Keulen ordered PersonalWeb to
6 produce the documents as ordered in Dkt. 793 to proceed on a rolling basis and be completed by
7 January 20, 2023 (Dkt. 799);

8 WHEREAS, on January 9, 2023, Magistrate Judge van Keulen extended the deadline for
9 production of documents requiring a meet and confer to January 31, 2023 (Dkt. 836);

10 WHEREAS, on February 6, 2023, Magistrate Judge van Keulen extended the deadline for
11 production of certain documents from PersonalWeb’s former counsel, Stubbs Alderton, to be
12 completed no later than February 10, 2023;

13 WHEREAS, the deadline for Amazon to file a request for supplemental fees (including for
14 fees pursuant to 35 U.S.C. § 285; the appeal fees denied without prejudice by the Court in its
15 April 19, 2021 Order (Dkt. 656); and fees that Amazon has incurred since) (“Fees Submission”) is
16 March 3, 2023 (Dkt. 805), and Amazon agreed to that deadline based on the expectation that all
17 document productions would be completed as the Court ordered by January 20, 2023;

18 WHEREAS, PersonalWeb and third-parties Brilliant Digital Entertainment, Inc., Claria
19 Innovations, LLC, Europlay Capital Advisors, LLC, and Monto Holdings Pty., Ltd. (collectively,
20 “PersonalWeb Investors”) have produced over 500,000 pages of documents (to date) after the
21 January 20, 2023 deadline, a substantial portion of which Amazon still cannot review effectively
22 due to technical issues, and as Amazon, PersonalWeb, and the PersonalWeb Investors continue to
23 try to resolve these technical issues; and

24 WHEREAS, the Parties jointly agree that the time for Amazon to file its Fees Submission
25 should be extended to allow PersonalWeb and the PersonalWeb Investors to provide complete,
26 technically sound document productions to Amazon and to allow Amazon sufficient time to review
27 the PersonalWeb document production and PersonalWeb Investors document production and
28 prepare its Fees Submission in light of these productions;

1 WHEREAS, the Parties jointly agree that this extension for Amazon to file its Fees
2 Submission resolves any prejudice suffered by Amazon as a result of PersonalWeb and
3 PersonalWeb Investors' production of documents after January 20, 2023;

4 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between
5 PersonalWeb and Amazon, through their respective counsel, as follows:

6 The deadline for Amazon to file its Fees Submission before this Court be extended from
7 March 3, 2023 until May 5, 2023; any PersonalWeb opposition brief is due by May 19, 2023; and
8 any Amazon reply brief is due by May 26, 2023; and

9 Amazon agrees that it will not claim that PersonalWeb and PersonalWeb Investors'
10 production of documents after January 20, 2023 described above has prejudiced it in this litigation.

11 **IT IS SO AGREED AND STIPULATED.**

FENWICK & WEST LLP
ATTORNEYS AT LAW

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FENWICK & WEST LLP
ATTORNEYS AT LAW

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

Dated: February 15, 2023

Respectfully submitted,
FENWICK & WEST LLP

By: /s/ Todd R. Gregorian
TODD R. GREGORIAN

J. DAVID HADDEN (CSB No. 176148)
dhadden@fenwick.com
SAINA S. SHAMILOV (CSB No. 215636)
sshamilov@fenwick.com
MELANIE L. MAYER (*admitted pro hac vice*)
mmayer@fenwick.com
TODD R. GREGORIAN (CSB No. 236096)
tgregorian@fenwick.com
RAVI R. RANGANATH (CSB No. 272981)
rranganath@fenwick.com
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Telephone: 650.988.8500
Facsimile: 650.938.5200
Attorneys for AMAZON.COM, INC.,
AMAZON WEB SERVICES, INC., and
TWITCH INTERACTIVE, INC.

Dated: February 15, 2023

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Patrick Emerson McCormick
PATRICK EMERSON MCCORMICK

ROBERT M. CHARLES, JR.
(*adm. pro hac vice*)
RCharles@lewisroca.com
PATRICK EMERSON MCCORMICK
(SBN 307298)
PMcCormick@lewisroca.com
LEWIS ROCA ROTHGERBER
CHRISTIE LLP
One South Church Ave., Ste. 2000
Tucson, AZ 85701-1611
Telephone: (520) 622-2090
Facsimile: (520) 622-3088
Attorneys for PERSONALWEB
TECHNOLOGIES, LLC

CERTIFICATION OF CONCURRENCE IN FILING

I, Todd R. Gregorian, am the ECF user whose identification and password are being used to file this Joint Stipulation. In compliance with N.D. Cal. Civil L.R. 5-1(h)(3), I hereby attest that Patrick Emerson McCormick has concurred in this filing.

Dated: February 15, 2023

By: /s/ Todd R. Gregorian
TODD R. GREGORIAN

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

2

3 Date: _____

BETH LABSON FREEMAN
United States District Judge

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

FENWICK & WEST LLP
ATTORNEYS AT LAW