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14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16

17 APPLIED MATERIALS, INC.,

18 Plaintiff,

19 vs.

20 DEMARAY LLC,

21 Defendant.
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Case No. 5:20-cv-09341-EJD

**DECLARATION OF C. MACLAIN
WELLS IN SUPPORT OF THE JOINT
STIPULATION AND [PROPOSED]
ORDER TO ENLARGE TIME FOR
SERVING INFRINGEMENT
CONTENTIONS AND INVALIDITY
CONTENTIONS**

Honorable Edward J. Davila

DECLARATION OF C. MACLAIN WELLS

I, C. Maclain Wells, hereby declare as follows:

1. I am an attorney at the law firm of Folio Law Group PLLC, counsel for Defendant Demaray LLC (“Demaray”). I am a member in good standing of the State Bar of California and have been duly licensed to practice law before all of the courts of the State of California. I submit this declaration in support of the parties’ stipulation to enlarge time for serving infringement and invalidity contentions. I have personal knowledge of the matters set forth in this declaration and, if called as a witness, could testify to its contents.

2. On October 12, 2022, counsel for the parties agreed to stipulate to enlarge time for serving infringement and invalidity contentions as put forth in the stipulation.

3. Discovery is ongoing and certain related discovery has been recently produced. If the time for Demaray to serve infringement contentions is not extended, Demaray will be prejudiced by having to serve its preliminary infringement contentions without sufficient time to analyze recently produced discovery.

4. A corresponding seven-day extension for Applied Materials, Inc. to serve its invalidity contentions is appropriate to avoid prejudicing Applied.

5. Previously, time in this case has been modified as follows: Demaray’s time to answer Applied’s complaint was extended 1 day by stipulation, Dkt. 25; Applied was granted an extension of time of seven days to file a response to Demaray’s Motion to Dismiss, Dkt. 32; Demaray was granted an extension of time of six days to file a reply in support of its Motion to Dismiss, Dkt. 39; the time to hear Applied’s Motion to Compel was shortened, Dkt. 88; the time to hear Demaray’s Motion to Amend its response was shortened, Dkt. 149; and Applied was granted an extension of seven days to file a response to Demaray’s Amended Answer, Dkt. 183.

6. The stipulation to enlarge Demaray’s time to serve its infringement contentions and Applied Materials’ time to serve its invalidity contentions will not affect any other deadlines set by the Court.

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Executed on October 13, 2022 in San Francisco, California. I declare under penalty of perjury that the foregoing is true and correct.

By: /s/ C. Maclain Wells
C. Maclain Wells

Attorneys for Defendant DEMARAY LLC