

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ACCELERATION BAY LLC, )  
)  
Plaintiff, )  
)  
v. ) C.A. No. 16-453 (RGA)

ACTIVISION BLIZZARD, INC. )  
)  
Defendant. )

---

ACCELERATION BAY LLC, )  
)  
Plaintiff, )  
)  
v. ) C.A. No. 16-454 (RGA)

ELECTRONIC ARTS INC., )  
)  
Defendant. )

---

ACCELERATION BAY LLC, )  
)  
Plaintiff, )  
)  
v. ) C.A. No. 16-455 (RGA)

TAKE-TWO INTERACTIVE SOFTWARE, )  
INC., ROCKSTAR GAMES, INC. and )  
2K SPORTS, INC., )  
)  
Defendants. )

**STIPULATION AND ORDER**

WHEREAS, in light of the various holidays, including Rosh Hashanah, the parties have reached an agreement and present this stipulation which provides for a short extension of certain dates without changing any of the existing trial dates;

WHEREAS, the Parties agree that the requested schedule changes will benefit both the parties and the Court (but will not disrupt the existing trial dates). The requested schedule change

(1) provides a short extension of near term dates for expert discovery and (2) staggers the schedule for the Electronic Arts and Take-Two cases, which are not scheduled for trial until July and August 2018, respectively. Given the volume of expert reports, the ongoing claim construction briefing, and the parties' efforts to narrow certain issues, the parties would benefit from extending the schedule very slightly in the Activision case and extending the schedule by approximately 2 weeks in the Electronic Arts and Take-Two cases;

WHEREAS, there is good cause for extending the deadline for summary judgment and *Daubert* motions in the Electronic Arts and Take-Two cases. In particular, the parties expect by extending the schedule, they will be able to better explain the issues and potentially further narrow the issues requiring resolution by the court in the Electronic Arts and Take-Two cases. Further, the extension will not require modification of the existing trial dates;

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that the Scheduling Order (C.A. No. 16-453, D.I. 62) is amended as shown in the table below:

Event	Current Deadline (All 3 Cases)	Amended Deadline	
		16-453 ( <i>Activision</i> )	16-454 ( <i>EA</i> ) & 16-455 ( <i>Take-Two</i> )
Opening Expert Reports	September 22, 2017	September 25, 2017	September 25, 2017 (invalidity) October 6, 2017: All other opening reports
Rebuttal Expert Reports	November 3, 2017	November 8, 2017	November 8, 2017: (invalidity) November 17, 2017: all other rebuttal reports
Reply Expert Reports	December 1, 2017	December 6, 2017	December 6, 2017: (invalidity) December 15, 2017: all other reply reports

Event	Current Deadline (All 3 Cases)	Amended Deadline	
		16-453 ( <i>Activision</i> )	16-454 ( <i>EA</i> ) & 16-455 ( <i>Take-Two</i> )
Completed Depositions of Experts	January 10, 2018	Unchanged (January 10, 2018)	January 31, 2018
Summary Judgment	February 2, 2018	Unchanged (February 2, 2018)	February 23, 2018
Trial	<i>Activision Blizzard:</i> April 30, 2018  <i>Electronic Arts:</i> July 9, 2018  <i>Take-Two:</i> August 27, 2018.	Unchanged	Unchanged

POTTER ANDERSON & CORROON LLP

*/s/ Philip A. Rovner*

---

Philip A. Rovner (#3215)  
Jonathan A. Choa (#5319)  
Hercules Plaza  
P.O. Box 951  
Wilmington, DE 19899  
(302) 984-6000  
provner@potteranderson.com  
jchoa@potteranderson.com

*Attorneys for Plaintiff*

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Jack B. Blumenfeld*

---

Jack B. Blumenfeld (#1014)  
Stephen J. Kraftschik (#5623)  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899  
(302) 658-9200  
jblumenfeld@mnat.com  
skraftschik@mnat.com

*Attorneys for Defendants*

SO ORDERED this \_\_\_\_\_ day of September, 2017

---

United States District Judge