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UNITED STATES DISTRICT COURT

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CENTRAL DISTRICT OF CALIFORNIA

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11 FONTEM VENTURES B.V., a
12 Netherlands company; and FONTEM
13 HOLDINGS 1, B.V., a Netherlands
14 company,

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Plaintiffs,

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v.

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18 NJOY, INC., a Delaware corporation;
19 and DOES 1-5, Inclusive,

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Defendant.

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24

AND RELATED COUNTERCLAIMS

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Consolidated Case No.
CV 14-01645 GW (MRW)
and Related Consolidated Cases:

CV-14-01649, CV-14-01650,
CV-14-01651, CV-14-01652,
CV-14-01653, CV-14-01654,
CV-14-01655, CV 14-08144,
CV 14-08154, CV 14-08155,
CV 14-08156, CV 14-08157,
CV 14-08158, CV 14-08160,
CV 14-08161, CV 14-09263,
CV 14-09266, CV 14-09267,
CV 14-09268, CV 14-09269,
CV 14-09270, CV 14-09271,
CV 14-09273

**DEFENDANTS' NOTICE OF
MOTION AND DAUBERT
MOTION TO EXCLUDE THE
TESTIMONY OF PLAINTIFFS'
INFRINGEMENT EXPERT NEIL
SHEEHAN AND PTO EXPERT
JOHN DOLL**

Hearing Date: October 22, 2015
Hearing Time: 8:30 a.m.
Courtroom: Hon. George H. Wu

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NOTICE OF MOTION AND MOTION

TO ALL PARTIES AND THEIR COUNSEL:

PLEASE TAKE NOTICE that on October 22, 2015, at 8:30 a.m., or as soon thereafter as determined by the court, at the United States District Court, Central District of California, located at 312 North Spring Street, Los Angeles, California 90012, in the Courtroom of the Honorable George H. Wu, Defendants will and hereby do move for an Order to exclude the testimony of Neil Sheehan, who Plaintiffs Fontem Ventures B.V. and Fontem Holdings 1 B.V. (collectively, “Fontem”) engaged as their infringement expert, relating to various claim limitations, and the testimony of John Doll, who Fontem engaged as a patent office procedure expert, in its entirety.

This Motion is and will be based upon this Notice of Motion, the accompanying Memorandum of Points and Authorities, the accompanying Declaration of Erik G. Swenson, all pleadings and papers filed in this action, oral argument, and any other matters properly presented to the Court.

This motion is made following a conference of counsel pursuant to Local Rule 7-3, which took place on September 8, 2015. Fontem stated that it would oppose this motion.

Dated: September 17, 2015

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