

1 Randall T. Garteiser (CA State Bar No. 231821)  
rgarteiser@ghiplaw.com  
2 Christopher A. Honea (CA State Bar No. 232473)  
chonea@ghiplaw.com  
3 M. Scott Fuller (TX State Bar No. 24036607)  
sfuller@ghiplaw.com  
4 GARTEISER HONEA  
5 95 Third Street, 2nd Floor, San Francisco, CA 94103  
119 W Ferguson, Tyler, TX 75702  
6 Telephone: (888) 908-4400

7 Attorneys for Plaintiff,  
8 CELLSPIN SOFT INC.

9  
10  
11 **IN THE UNITED STATES DISTRICT COURT**  
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
13 **OAKLAND DIVISION**

14 CELLSPIN SOFT, INC.,

15 Plaintiff

16 v.

17 FITBIT LLC.,

18 Defendant.  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**NOTICE OF APPEAL**

Case No. 4:17-CV-05928-YGR

Judge: Honorable Yvonne G. Rogers

1 Pursuant to Rules 3 and 4 of Federal Rules of Appellate Procedure and Title 28 U.S.C. §  
2 1295(a)(1), notice is given that Plaintiff Cellspin Soft, Inc. (“Cellspin”), appeals to the United States Court  
3 of Appeals for the Federal Circuit the following:

4 (1) the order entered on February 15, 2023 (Docket No. 376) for recusal under Section 455 and vacatur of  
5 the district court’s Summary Judgment Order (Docket No. 331/332).

6 This is a separate and secondary appeal in this case. The initial appeal pertained to the district  
7 court’s Summary Judgment Order, *et al.* filed on July 13, 2022 (Docket No. 346).

8 This Notice of Appeal is related to consolidated case 22-2025 currently pending before the United  
9 States Court of Appeals for the Federal Circuit entitled *Cellspin Soft, Inc. v. Fitbit, LLC*.

10 Respectfully submitted,

11  
12 Dated: February 17, 2023

13 By: /s/ Randall Garteiser

14 MICHAEL SCOTT FULLER

15 TX State Bar No. 24036607

16 RANDALL T. GARTEISER

17 CA State Bar No. 231821

18 CHRISTOPHER A. HONEA

19 CA State Bar No. 232473

20  
21 *Attorneys for Plaintiff,*  
22 *CELLSPIN SOFT INC.*

ADRMOP,AO279,APPEAL,CLOSED,PROTO,REFDIS,RELATE

**U.S. District Court**  
**California Northern District (Oakland)**  
**CIVIL DOCKET FOR CASE #: 4:17-cv-05928-YGR**

Cellspin Soft, Inc. v. Fitbit LLC  
Assigned to: Judge Yvonne Gonzalez Rogers  
Referred to: Magistrate Judge Kandis A. Westmore  
Relate Case Cases: [4:17-cv-05929-YGR](#)

[4:17-cv-05930-YGR](#)

[4:17-cv-05931-YGR](#)

[4:17-cv-05932-YGR](#)

[4:17-cv-05934-YGR](#)

[4:17-cv-05933-YGR](#)

[4:17-cv-05936-YGR](#)

[4:17-cv-06881-YGR](#)

[4:17-cv-05937-YGR](#)

[4:17-cv-05938-YGR](#)

[4:17-cv-05939-YGR](#)

[4:17-cv-05940-YGR](#)

[4:17-cv-05941-YGR](#)

Case in other court: Federal Circuit, 18-01817  
Federal Circuit, 18-02178  
Federal Circuit Court of Appeals, 22-02025

Cause: 35:271 Patent Infringement

**Plaintiff**

**Cellspin Soft, Inc.**

represented by **Randall Garteiser**  
Garteiser Honea PLLC  
95 Third Street, 2nd Floor  
San Francisco, CA 94103  
(415) 568-0553  
Fax: (415) 785-3805  
Email: rgarteiser@ghiplaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Brandon Gregory Moore**  
Collins Edmonds Schlather PLLC  
1616 South Voss Road, Suite 125  
Houston, TX 77057  
281-501-3425

Email: bmoore@ip-lit.com  
*TERMINATED: 08/22/2018*

**Christopher Alan Honea**  
Garteiser Honea PLLC  
119 W. Ferguson Street  
Tyler, TX 75702  
(415) 785-3762  
Fax: (888) 908-4400  
Email: chonea@ghiplaw.com  
*ATTORNEY TO BE NOTICED*

**John J. Edmonds**  
Edmonds & Schlather, PLLC  
355 South Grand Avenue, Suite 2450  
Los Angeles, CA 90071  
(213) 973-7846  
Fax: (213) 835-6996  
Email: jedmonds@ip-lit.com  
*TERMINATED: 01/13/2020*

**Michael Scott Fuller**  
Garteiser Honea PLLC  
119 W Ferguson St  
Tyler, TX 75702  
214-729-6548  
Fax: 888-908-4400  
Email: sfuller@ghiplaw.com  
*ATTORNEY TO BE NOTICED*

**Peter Joseph Corcoran , III**  
Corcoran IP Law PLLC  
4142 McKnight Road  
Texarkana, TX 75503  
903-701-2481  
Fax: 903-560-4979  
Email: peter@corcoranip.com  
*ATTORNEY TO BE NOTICED*

**Shea Neal Palavan**  
Palavan & Moore, PLLC  
5353 West Alabama Street  
Suite 303  
Houston, TX 77056  
832-800-4133  
Fax: 855-725-2826  
Email: shea@houstonip.com

*TERMINATED: 03/19/2019*

V.

**Defendant**

**Fitbit, Inc.**

*TERMINATED: 10/15/2021*

represented by **Alan S. Kellman**

Desmarais LLP

230 Park Avenue

New York, NY 10169

United Sta

2123513400

Fax: 212-351-3404

Email: akellman@desmaraisllp.com

*LEAD ATTORNEY*

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Ameet A. Modi**

Desmarais LLP

101 California Street

San Francisco, CA 94111

415-573-1900

Email: amodi@desmaraisllp.com

*TERMINATED: 01/06/2023*

*LEAD ATTORNEY*

**John M. Desmarais**

Desmarais LLP

101 California Street

San Francisco, CA 94111

415-573-1900

Fax: 415-573-1901

Email: jdesmarais@desmaraisllp.com

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Jonathan Vincent Lewis**

Desmarais LLP

230 Park Avenue

New York, NY 10169

United Sta

212-351-3400

Email: jlewis@desmaraisllp.com

*LEAD ATTORNEY*

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Tuhin Ganguly**

Desmarais LLP

1701 Pennsylvania Avenue NW

Washington, DC 20006-1865

202-451-4912

Email: [tganguly@desmaraisllp.com](mailto:tganguly@desmaraisllp.com)*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Anjali Moorthy**

Goodwin Procter LLP

Three Embarcadero Center

San Francisco, CA 94111-4017

(415) 733-6000

Fax: (415) 677-9041

Email: [AMoorthy@goodwinlaw.com](mailto:AMoorthy@goodwinlaw.com)*TERMINATED: 01/16/2019***David Shane Brun**

King &amp; Spalding LLP

601 S. California Ave.

Suite 100

Palo Alto, CA 94304

415-318-1245

Fax: 415-318-1200

Email: [sbrun@kslaw.com](mailto:sbrun@kslaw.com)*ATTORNEY TO BE NOTICED***Indra Neel Chatterjee**

Goodwin Procter LLP

601 Marshall Street

Redwood City, CA 94063

(650) 752-3100

Fax: (650) 853-1038

Email: [NChatterjee@goodwinlaw.com](mailto:NChatterjee@goodwinlaw.com)*TERMINATED: 01/16/2019***Jamie Lauren Kringstein**

Desmarais LLP

230 Park Avenue

New York, NY 10169

United Sta

212-808-2921

Email: [jkringstein@desmaraisllp.com](mailto:jkringstein@desmaraisllp.com)*PRO HAC VICE**ATTORNEY TO BE NOTICED*

**Karim Oussayef**  
Desmarais LLP  
230 Park Ave  
New York, NY 10169  
212-351-3427  
Fax: 212-351-3401  
Email: koussayef@desmaraisllp.com  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Rachel Melissa Walsh**  
Goodwin Procter LLP  
Three Embarcadero Center, 28th Floor  
San Francisco, CA 94111  
(415) 733-6000  
Fax: (415) 677-9041  
Email: RWalsh@goodwinlaw.com  
*TERMINATED: 01/16/2019*

**Defendant**

**Fitbit LLC**

represented by **Alan S. Kellman**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Ameet A. Modi**  
(See above for address)  
*TERMINATED: 01/06/2023*  
*LEAD ATTORNEY*

**John M. Desmarais**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jonathan Vincent Lewis**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Tuhin Ganguly**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anjali Moorthy**  
(See above for address)

**David Shane Brun**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Indra Neel Chatterjee**  
(See above for address)

**Jamie Lauren Kringstein**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Karim Oussayef**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Rachel Melissa Walsh**  
(See above for address)

**Defendant**

**Nikon Americas, Inc.**

represented by **Yuka Teraguchi**  
Morrison & Foerster LLP  
Shin-Marunouchi Building, 29th Floor  
5-1, Marunouchi 1-Chome  
Chiyoda-ku  
Tokyo 100-6529  
Japan  
(81) 3-3214-6522  
Fax: (81) 3-3214-6512  
Email: YTeraguchi@mofo.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Nikon Inc.**

represented by **Yuka Teraguchi**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**3rd party defendant**

**Nikon Corporation**

represented by **Yuka Teraguchi**  
(See above for address)  
*ATTORNEY TO BE NOTICED*



Date Filed	#	Docket Text
10/16/2017	<a href="#">1</a>	COMPLAINT FOR INFRINGEMENT OF U.S. PATENT NOS. 8,738,794, 8,892,752, AND 9,749,847; DEMAND FOR JURY TRIAL; (NO PROCESS); against Fitbit, Inc. ( Filing fee \$ 400, receipt number 0971-11801983.). Filed by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> See Docket Number <a href="#">6</a> for Correct Attachment Exhibit A - 8,738,794 Patent, # <a href="#">2</a> See Docket Number <a href="#">6</a> for Correct Attachment Exhibit B - 8,892,752 Patent, # <a href="#">3</a> See Docket Number <a href="#">6</a> for Correct Attachment Exhibit C - 9,749,847 Patent, # <a href="#">4</a> Civil Cover Sheet)(Edmonds, John) (Filed on 10/16/2017) Modified on 10/18/2017 (aaaS, COURT STAFF). Modified on 10/20/2017 (aaaS, COURT STAFF). (Entered: 10/16/2017)
10/17/2017		Electronic filing error. Please complete and docket the court's latest version of the civil cover sheet available on the court's website. Please use the docketing event civil cover sheet. Thank you. Re: <a href="#">1</a> Complaint, filed by Cellspin Soft, Inc. (srnS, COURT STAFF) (Filed on 10/17/2017) (Entered: 10/17/2017)
10/17/2017	2	Case assigned to Magistrate Judge Elizabeth D. Laporte.  Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at <a href="http://cand.uscourts.gov/ecf/caseopening">http://cand.uscourts.gov/ecf/caseopening</a> .  Standing orders can be downloaded from the court's web page at <a href="http://www.cand.uscourts.gov/judges">www.cand.uscourts.gov/judges</a> . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 10/31/2017. (srnS, COURT STAFF) (Filed on 10/17/2017) (Entered: 10/17/2017)
10/17/2017	<a href="#">3</a>	Civil Cover Sheet by Cellspin Soft, Inc. . (Edmonds, John) (Filed on 10/17/2017) (Entered: 10/17/2017)
10/17/2017	<a href="#">4</a>	<b>Initial Case Management Scheduling Order with ADR Deadlines:</b> Case Management Statement due by 1/9/2018. Initial Case Management Conference set for 1/16/2018 10:00 AM. Signed by Magistrate Judge Elizabeth D. Laporte on 10/17/18. (aaaS, COURT STAFF) (Filed on 10/17/2017) (Entered: 10/18/2017)
10/18/2017	<a href="#">5</a>	REPORT on the filing or determination of an action regarding: <b>PATENT INFRINGEMENT</b> (cc: form mailed to register). (aaaS, COURT STAFF) (Filed on 10/18/2017) (Entered: 10/18/2017)
10/18/2017		Electronic filing error. This filing will not be processed by the clerks office. <b>Please re-file in its entirety.</b> Re: <a href="#">1</a> Complaint, filed by Cellspin Soft, Inc. <b>Can not open parts Part 1 Exhibit A and Part 2 Exhibit B</b> (aaaS, COURT STAFF) (Filed on 10/18/2017) (Entered: 10/18/2017)
10/19/2017	<a href="#">6</a>	ERRATA re <a href="#">1</a> Complaint, <i>Correct Version of the Exhibits</i> by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Exhibit A - 8,738,794 Patent, # <a href="#">2</a> Exhibit B - 8,892,752 Patent, # <a href="#">3</a>

		Exhibit C - 9,749,847 Patent)(Edmonds, John) (Filed on 10/19/2017) (Entered: 10/19/2017)
10/19/2017	<a href="#">7</a>	Certificate of Interested Entities by Cellspin Soft, Inc. (Edmonds, John) (Filed on 10/19/2017) (Entered: 10/19/2017)
10/20/2017	<a href="#">8</a>	Proposed Summons. (Edmonds, John) (Filed on 10/20/2017) (Entered: 10/20/2017)
10/23/2017	<a href="#">9</a>	Summons Issued as to Fitbit, Inc. (aaaS, COURT STAFF) (Filed on 10/23/2017) (Entered: 10/23/2017)
10/30/2017	<a href="#">10</a>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Cellspin Soft, Inc... (Edmonds, John) (Filed on 10/30/2017) (Entered: 10/30/2017)
10/31/2017	11	<p>CLERK'S NOTICE OF IMPENDING REASSIGNMENT TO A U.S. DISTRICT COURT JUDGE: The Clerk of this Court will now randomly reassign this case to a District Judge because a party has not consented to the jurisdiction of a Magistrate Judge. You will be informed by separate notice of the district judge to whom this case is reassigned.</p> <p>ALL HEARING DATES PRESENTLY SCHEDULED BEFORE THE CURRENT MAGISTRATE JUDGE ARE VACATED AND SHOULD BE RE-NOTICED FOR HEARING BEFORE THE JUDGE TO WHOM THIS CASE IS REASSIGNED.</p> <p><i>This is a text only docket entry; there is no document associated with this notice.</i> (shyS, COURT STAFF) (Filed on 10/31/2017) (Entered: 10/31/2017)</p>
10/31/2017	<a href="#">12</a>	<b>ORDER REASSIGNING CASE. Case reassigned to Judge Yvonne Gonzalez Rogers for all further proceedings. Magistrate Judge Elizabeth D. Laporte no longer assigned to the case. This case is assigned to a judge who participates in the Cameras in the Courtroom Pilot Project. See General Order 65 and <a href="http://cand.uscourts.gov/cameras">http://cand.uscourts.gov/cameras</a>. Signed by Executive Committee on 10/31/17. (Attachments: # <a href="#">1</a> Notice of Eligibility for Video Recording)(as, COURT STAFF) (Filed on 10/31/2017) (Entered: 10/31/2017)</b>
11/09/2017	<a href="#">13</a>	CLERK'S NOTICE SETTING CASE MANAGEMENT CONFERENCE. Case Management Statement due by 1/15/2018. Initial Case Management Conference set for MONDAY, 1/22/2018 02:00 PM before Judge Hon. Yvonne Gonzalez Rogers in Courtroom 1, 4th Floor, Oakland. (Attachments: # <a href="#">1</a> Standing Order) (fs, COURT STAFF) (Filed on 11/9/2017) (Entered: 11/09/2017)
11/09/2017	<a href="#">14</a>	SUMMONS Returned Executed by Cellspin Soft, Inc.. Fitbit, Inc. served on 10/30/2017, answer due 11/20/2017. (Edmonds, John) (Filed on 11/9/2017) (Entered: 11/09/2017)
11/17/2017	<a href="#">15</a>	STIPULATION to Extend Time for Defendant Fitbit, Inc. to Answer or Otherwise Respond to Complaint filed by Fitbit, Inc., Cellspin Soft Inc. (Brun, David) (Filed on 11/17/2017) Modified on 11/20/2017 (cpS, COURT STAFF). (Entered: 11/17/2017)
11/17/2017	<a href="#">16</a>	Certificate of Interested Entities and Corporate Disclosure Statement by Fitbit, Inc. (Brun, David) (Filed on 11/17/2017) Modified on 11/20/2017 (cpS, COURT STAFF).

		(Entered: 11/17/2017)
12/01/2017	<a href="#">17</a>	MOTION to Relate Case by Cellspin Soft, Inc. (Edmonds, John) (Filed on 12/1/2017) Modified on 12/4/2017 (cpS, COURT STAFF). (Entered: 12/01/2017)
12/05/2017	<a href="#">18</a>	<b>ORDER by Judge Yvonne Gonzalez Rogers granting <a href="#">17</a> Motion to Relate Cases and ORDER RELATING CASES 17-cv-5928-YGR; 17-cv-5929-RS; 17-cv-5930-VC; 17-cv-5931-JST; 17-cv-5932-HSG; 17-cv-5933-BLF; 17-cv-5934-EMC; 17-cv-5936-JSW; 17-cv-5937-HSG- 17-cv-5938-MEJ; 17-cv-5939-RS; 17-cv-5940-WHO; 17-CV-5941-EMC and 17-cv-6881-WHO. (fs, COURT STAFF) (Filed on 12/5/2017) (Entered: 12/05/2017)</b>
12/05/2017	19	CLERK'S NOTICE : The Court requires further information as to the procedural posture of each related case. Accordingly, plaintiffs shall provide a chart which indicates the procedural posture of each case by Monday, December 11, 2017.  <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 12/5/2017) (Entered: 12/05/2017)
12/05/2017	<a href="#">20</a>	NOTICE of Procedural Posture of Related Cases by Cellspin Soft, Inc. pursuant to re 19 Clerk's Notice, (Edmonds, John) (Filed on 12/5/2017) Modified on 12/5/2017 (cpS, COURT STAFF). (Entered: 12/05/2017)
12/12/2017	<a href="#">21</a>	<b>ORDER SETTING CASE MANAGEMENT CONFERENCE. Omnibus Case Management Statement due by 1/22/2018. Initial Case Management Conference set for Monday, 1/29/2018 at specially set time of 01:00 PM before Judge Hon. Yvonne Gonzalez Rogers in Courtroom 1, 4th Floor, Oakland. Signed by Judge Yvonne Gonzalez Rogers on 12/12/17. (fs, COURT STAFF) (Filed on 12/12/2017) (Entered: 12/12/2017)</b>
12/20/2017	<a href="#">22</a>	MOTION to Dismiss filed by Fitbit, Inc.. Motion Hearing set for 1/30/2018 02:00 PM in Courtroom 1, 4th Floor, Oakland before Judge Yvonne Gonzalez Rogers. Responses due by 1/3/2018. Replies due by 1/10/2018. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Declaration of S. Brun in Support of Fitbit, Inc.'s Motion to Dismiss Plaintiff Cellspin Soft, Inc.'s Complaint, # <a href="#">3</a> Exhibit A, # <a href="#">4</a> Exhibit B, # <a href="#">5</a> Exhibit C)(Brun, David) (Filed on 12/20/2017) (Entered: 12/20/2017)
12/22/2017	<a href="#">23</a>	<b>ORDER DIRECTING PARTIES TO FILE OMNIBUS BRIEFS. Signed by Judge Yvonne Gonzalez Rogers on 12/22/17. (fs, COURT STAFF) (Filed on 12/22/2017) (Entered: 12/22/2017)</b>
12/22/2017		Set/Reset Deadlines as to Responses due by 1/30/2018. Replies due by 2/13/2018. Motion Hearing set for 3/6/2018 02:00 PM before Judge Yvonne Gonzalez Rogers. (fs, COURT STAFF) (Filed on 12/22/2017) (Entered: 12/22/2017)
01/05/2018	<a href="#">24</a>	NOTICE of Appearance by Indra Neel Chatterjee (Chatterjee, Indra) (Filed on 1/5/2018) (Entered: 01/05/2018)
01/05/2018	<a href="#">25</a>	NOTICE of Appearance by Rachel Melissa Walsh (Walsh, Rachel) (Filed on 1/5/2018) (Entered: 01/05/2018)

01/05/2018	<a href="#">26</a>	NOTICE of Appearance by Anjali Moorthy (Moorthy, Anjali) (Filed on 1/5/2018) (Entered: 01/05/2018)
01/05/2018	<a href="#">27</a>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Walsh, Rachel) (Filed on 1/5/2018) (Entered: 01/05/2018)
01/08/2018	<a href="#">28</a>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Edmonds, John) (Filed on 1/8/2018) (Entered: 01/08/2018)
01/08/2018	<a href="#">29</a>	NOTICE of need for ADR Phone Conference (ADR L.R. 3-5 d) (Edmonds, John) (Filed on 1/8/2018) (Entered: 01/08/2018)
01/09/2018	<a href="#">30</a>	ADR Clerk's Notice Setting ADR Phone Conference on 1/24/2018 at 10:00 AM Pacific Time. Please note that you must be logged into an ECF account of counsel of record in order to view this document. (cmf, COURT STAFF) (Filed on 1/9/2018) (Entered: 01/09/2018)
01/16/2018	<a href="#">31</a>	MOTION to Dismiss filed by Fitbit, Inc.. Motion Hearing set for 3/6/2018 02:00 PM in Courtroom 1, 4th Floor, Oakland before Judge Yvonne Gonzalez Rogers. Responses due by 1/30/2018. Replies due by 2/6/2018. (Attachments: # <a href="#">1</a> Declaration of Mulloy in Support of Defendants' Motion to Dismiss, # <a href="#">2</a> Exhibit 1 to Mulloy Declaration, # <a href="#">3</a> Exhibit 2 to Mulloy Declaration, # <a href="#">4</a> Exhibit 3 to Mulloy Declaration, # <a href="#">5</a> Exhibit 4 to Mulloy Declaration, # <a href="#">6</a> Proposed Order)(Brun, David) (Filed on 1/16/2018) Modified on 1/17/2018 (cpS, COURT STAFF). (Entered: 01/16/2018)
01/22/2018	<a href="#">32</a>	MOTION for leave to appear in Pro Hac Vice of <i>Brandon G. Moore</i> ( Filing fee \$ 310, receipt number 0971-12043744.) Filing fee previously paid on 1/22/2018 filed by Cellspin Soft, Inc.. (Moore, Brandon) (Filed on 1/22/2018) (Entered: 01/22/2018)
01/22/2018	<a href="#">33</a>	<p>***FILED IN ERROR. SEE DOCUMENT # <a href="#">34</a> ***</p> <p>JOINT CASE MANAGEMENT STATEMENT &amp; <i>PROPOSED ORDER</i> filed by Cellspin Soft, Inc., Fitbit Inc. (Edmonds, John) (Filed on 1/22/2018) Modified on 1/23/2018 (cpS, COURT STAFF). Modified on 1/23/2018 (cpS, COURT STAFF). (Entered: 01/22/2018)</p>
01/22/2018	<a href="#">34</a>	JOINT CASE MANAGEMENT STATEMENT & <i>PROPOSED ORDER</i> filed by Cellspin Soft, Inc., Fitbit Inc. (Edmonds, John) (Filed on 1/22/2018) Modified on 1/23/2018 (cpS, COURT STAFF). (Entered: 01/22/2018)
01/24/2018	<a href="#">35</a>	<b>ORDER by Judge Yvonne Gonzalez Rogers granting <a href="#">32</a> Motion for Pro Hac Vice as to Brandon G. Moore. (fs, COURT STAFF) (Filed on 1/24/2018) (Entered: 01/24/2018)</b>
01/24/2018	36	ADR Remark: ADR Phone Conference held on 1/24/2018 by Howard Herman. (af, COURT STAFF) (Filed on 1/24/2018) ( <i>This is a text-only entry generated by the court. There is no document associated with this entry.</i> ) (Entered: 01/24/2018)
01/24/2018	<a href="#">37</a>	JOINT List of Counsel Appearing at the January 29, 2018 Case Management

		Conference pursuant to re <a href="#">21</a> Order by Cellspin Soft, Inc., Fitbit Inc (Edmonds, John) (Filed on 1/24/2018) Modified on 1/25/2018 (cpS, COURT STAFF). (Entered: 01/24/2018)
01/29/2018	<a href="#">42</a>	<p><b>*** THE CORRECT HEARING DATE FOR THE CLAIM CONSTRUCTION HEARING IS FRIDAY, NOVEMBER 9, 2018 AT 9:00AM. SEE CLERKS NOTICE DKT. NO. 45***</b></p> <p><b>Minute Entry for proceedings held before Judge Yvonne Gonzalez Rogers: Initial Case Management Conference held on 1/29/2018.Total Time in Court: 13 minutes. Court Reporter: Diane Skillman. (fs, COURT STAFF) (Date Filed: 1/29/2018) (Additional attachment(s) added on 2/2/2018: # <a href="#">1</a> Supplement Counsel appearances) (fs, COURT STAFF). (Additional attachment(s) added on 2/2/2018: # <a href="#">2</a> Supplement Counsel appearances) (fs, COURT STAFF). Modified on 2/5/2018 (fs, COURT STAFF). (Entered: 02/02/2018)</b></p>
01/29/2018	43	<p>CLERK'S NOTICE: PLEASE TAKE NOTICE THAT THE LIST OF COUNSEL APPEARANCES AS TO THE CASE MANAGEMENT CONFERENCE HELD JANUARY 29, 2018 HAS BEEN ADDED TO THE MINUTES OF 1/29/18, DKT. NO. 42, AS AN ATTACHMENT DOCUMENT.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 1/29/2018) (Entered: 02/02/2018)</p>
01/29/2018		<p>Set/Reset Hearing re (33 in 4:17-cv-05934-YGR) Case Management Conference - Initial, (36 in 4:17-cv-05939-YGR) Case Management Conference - Initial, (39 in 4:17-cv-05932-YGR) Case Management Conference - Initial, (36 in 4:17-cv-05929-YGR) Case Management Conference - Initial, (38 in 4:17-cv-06881-YGR) Case Management Conference - Initial, (35 in 4:17-cv-05931-YGR) Case Management Conference - Initial, (38 in 4:17-cv-05930-YGR) Case Management Conference - Initial, (38 in 4:17-cv-05938-YGR) Case Management Conference - Initial, (50 in 4:17-cv-05933-YGR) Case Management Conference - Initial, (39 in 4:17-cv-05941-YGR) Case Management Conference - Initial, (42 in 4:17-cv-05928-YGR) Case Management Conference - Initial,</p> <p>Further Case Management Conference set for 7/16/2018 01:00 PM in Oakland, Courtroom 1, 4th Floor. Claims Construction Hearing set for **FRIDAY, 11/9/2018 09:00 AM.** Compliance hearing set for 3/2/2018 09:01 AM before Judge Yvonne Gonzalez Rogers. Filing by 2/23/2018. Tutorial Hearing set for Friday, 10/26/2018 09:00 AM in Oakland, Courtroom 1, 4th Floor. (fs, COURT STAFF) (Filed on 1/29/2018) Modified on 2/5/2018 (fs, COURT STAFF). (Entered: 02/02/2018)</p>
01/30/2018	<a href="#">38</a>	OPPOSITION/RESPONSE (re <a href="#">31</a> MOTION to Dismiss <i>Complaints</i> ) filed by Cellspin Soft, Inc.. (Edmonds, John) (Filed on 1/30/2018) (Entered: 01/31/2018)
01/31/2018	<a href="#">39</a>	<p><b>***NOTE: EXHIBITS 2 &amp; 3 RE-FILED AT DKT. # <a href="#">41</a>***</b></p> <p>ADDITIONAL ATTACHMENTS TO MAIN DOCUMENT re <a href="#">38</a></p>



		Opposition/Response to Motion filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Declaration of John J. Edmonds, # <a href="#">3</a> Exhibit 2 - '794 patent, # <a href="#">4</a> Exhibit 3 - '752 patent, # <a href="#">5</a> Exhibit 4 - '847 patent, # <a href="#">6</a> Exhibit 5 - '698 patent, # <a href="#">7</a> Exhibit 6 - Kennedy application, # <a href="#">8</a> Exhibit 7 - '303 app file history, # <a href="#">9</a> Exhibit 8 - '214 app file history, # <a href="#">10</a> Exhibit 9 - '219 app file history, # <a href="#">11</a> Exhibit 10 - '227 app file history, # <a href="#">12</a> Exhibit 11 - '913 app file history, # <a href="#">13</a> Exhibit 12 - '352 app file history, # <a href="#">14</a> Exhibit 13 - '353 app file history, # <a href="#">15</a> Exhibit 14 - '401 app file history, # <a href="#">16</a> Exhibit 15 - '104 app file history, # <a href="#">17</a> Exhibit 16 - Bouet application, # <a href="#">18</a> Exhibit 17 - Pryor application)(Related document(s) <a href="#">38</a> ) (Edmonds, John) (Filed on 1/31/2018) Modified on 2/1/2018 (cpS, COURT STAFF). Modified on 2/1/2018 (cpS, COURT STAFF).< Modified on 2/1/2018 (cpS, COURT STAFF). (Entered: 01/31/2018)
01/31/2018	<a href="#">40</a>	TRANSCRIPT ORDER for proceedings held on 1/29/18 before Judge Yvonne Gonzalez Rogers by Cellspin Soft, Inc., for Court Reporter Diane Skillman. (Edmonds, John) (Filed on 1/31/2018) (Entered: 01/31/2018)
01/31/2018	<a href="#">41</a>	NOTICE OF ERRATA re <a href="#">39</a> ADDITIONAL ATTACHMENTS TO MAIN DOCUMENT by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Exhibit 2 - '794 patent, # <a href="#">2</a> Exhibit 3 - '752 patent)(Edmonds, John) (Filed on 1/31/2018) Modified on 2/1/2018 (cpS, COURT STAFF). (Entered: 01/31/2018)
02/02/2018	<a href="#">44</a>	<b>CASE MANAGEMENT AND PRETRIAL ORDER. Signed by Judge Yvonne Gonzalez Rogers on 2/2/2018. (fs, COURT STAFF) (Filed on 2/2/2018) (Entered: 02/02/2018)</b>
02/05/2018	45	CLERK'S NOTICE CORRECTING DATE ON MINUTES OF 1/29/18: THE CORRECT DATE OF THE CLAIM CONSTRUCTION HEARING IS FRIDAY, NOVEMBER 9, 2018 AT 9:00AM. (Not 11/19/18).Claims Construction Hearing set for 11/9/2018 09:00 AM.  <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 2/5/2018) (Entered: 02/05/2018)
02/09/2018	<a href="#">46</a>	Transcript of Proceedings held on January 29, 2018, before Judge Yvonne Gonzalez Rogers. Court Reporter Diane E. Skillman, telephone number 925-899-2812, Diane_Skillman@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re (41 in 4:17-cv-05936-YGR) Transcript Order ) Release of Transcript Restriction set for 5/10/2018. (Skillman, Diane) (Filed on 2/9/2018) (Entered: 02/09/2018)
02/13/2018	<a href="#">47</a>	REPLY (re <a href="#">31</a> MOTION to Dismiss <i>Complaints</i> ) filed by Fitbit, Inc.. (Brun, David) (Filed on 2/13/2018) (Entered: 02/13/2018)
02/16/2018	<a href="#">48</a>	NOTICE of Supplemental Authority by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Declaration of John J. Edmonds, # <a href="#">2</a> Exhibit A - Berkheimer Opinion, # <a href="#">3</a> Exhibit B -

		Aatrix Opinion)(Edmonds, John) (Filed on 2/16/2018) Modified on 2/18/2018 (cpS, COURT STAFF). (Entered: 02/16/2018)
02/23/2018	<a href="#">49</a>	STIPULATION WITH PROPOSED ORDER and Statement Regarding Discovery filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Exhibit 1 - Email string between counsel)(Edmonds, John) (Filed on 2/23/2018) Modified on 2/25/2018 (cpS, COURT STAFF). (Entered: 02/23/2018)
02/24/2018	<a href="#">50</a>	<p><b>***FILED IN ERROR***</b></p> <p>STIPULATION WITH PROPOSED ORDER <i>for Protective Order</i> filed by Cellspin Soft, Inc., Fitbit Inc. (Edmonds, John) (Filed on 2/24/2018) Modified on 2/25/2018 (cpS, COURT STAFF). Modified on 2/25/2018 (cpS, COURT STAFF). Modified on 2/26/2018 (cpS, COURT STAFF). (Entered: 02/24/2018)</p>
02/24/2018	<a href="#">51</a>	<p><b>***FILED IN ERROR***</b></p> <p>STIPULATION WITH PROPOSED ORDER for Protective Order filed by Cellspin Soft, Inc., Fitbit Inc.(Edmonds, John) (Filed on 2/24/2018) Modified on 2/25/2018 (cpS, COURT STAFF). Modified on 2/25/2018 (cpS, COURT STAFF). Modified on 2/26/2018 (cpS, COURT STAFF). (Entered: 02/24/2018)</p>
02/24/2018	<a href="#">52</a>	STIPULATION WITH PROPOSED ORDER for Protective Order filed by Cellspin Soft, Inc., Fitbit Inc. (Edmonds, John) (Filed on 2/24/2018) Modified on 2/25/2018 (cpS, COURT STAFF). (Entered: 02/24/2018)
02/27/2018	53	<p>CLERK'S NOTICE VACATING THE FRIDAY, MARCH 2, 2018 AT 9:01AM COMPLIANCE HEARING.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 2/27/2018) (Entered: 02/27/2018)</p>
02/27/2018	<a href="#">54</a>	<b>STIPULATED PROTECTIVE ORDER [*AS MODIFIED BY THE COURT*]. Signed by Judge Yvonne Gonzalez Rogers on 2/27/18. (fs, COURT STAFF) (Filed on 2/27/2018) (Entered: 02/27/2018)</b>
02/27/2018	<a href="#">55</a>	<b>ORDER RE: JOINT STIPULATION AND STATEMENT REGARDING DISCOVERY by Judge Yvonne Gonzalez Rogers; granting (49) Stipulation in case 4:17-cv-05928-YGR; granting (42) Stipulation in case 4:17-cv-05929-YGR; granting (42) Stipulation in case 4:17-cv-05930-YGR; granting (41) Stipulation in case 4:17-cv-05931-YGR; granting (43) Stipulation in case 4:17-cv-05932-YGR; granting (60) Stipulation in case 4:17-cv-05933-YGR; granting (48) Stipulation in case 4:17-cv-05936-YGR; granting (48) Stipulation in case 4:17-cv-05938-YGR; granting (44) Stipulation in case 4:17-cv-05939-YGR; granting (45) Stipulation in case 4:17-cv-05941-YGR; granting (48) Stipulation in case 4:17-cv-06881-YGR. (fs, COURT STAFF) (Filed on 2/27/2018) (Entered: 02/27/2018)</b>

03/01/2018	<a href="#">56</a>	NOTICE of Recent Decision by Fitbit, Inc. re <a href="#">31</a> MOTION to Dismiss <i>Complaints</i> (Attachments: # <a href="#">1</a> Declaration of Amy Walters in Support of Notice of Recent Decision, # <a href="#">2</a> Exhibit A)(Brun, David) (Filed on 3/1/2018) Modified on 3/2/2018 (cpS, COURT STAFF). (Entered: 03/01/2018)
03/02/2018	<a href="#">57</a>	MOTION for leave to appear in Pro Hac Vice <i>Shea N. Palavan</i> ( Filing fee \$ 310, receipt number 0971-12155693.) filed by Cellspin Soft, Inc.. (Palavan, Shea) (Filed on 3/2/2018) (Entered: 03/02/2018)
03/02/2018	<a href="#">58</a>	AMENDED COMPLAINT <i>for Patent Infringement</i> against All Defendants. Filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Exhibit A - '794 Patent, # <a href="#">2</a> Exhibit B - '752 Patent, # <a href="#">3</a> Exhibit C - '847 Patent)(Edmonds, John) (Filed on 3/2/2018) (Entered: 03/02/2018)
03/05/2018	<a href="#">59</a>	<b>ORDER RE JOINT STIPULATION AND STATEMENT RE DISCOVERY re case 4:17-cv-5928-YGR. Signed by Judge Yvonne Gonzalez Rogers on 3/5/18. (fs, COURT STAFF) (Filed on 3/5/2018) (Entered: 03/05/2018)</b>
03/05/2018	<a href="#">60</a>	<p><b>***FILED IN ERROR. RE-FILED AT DKT. # <a href="#">61</a>***</b></p> <p><b>ORDER by Judge Yvonne Gonzalez Rogers granting <a href="#">57</a> Motion for Pro Hac Vice as to Shea N. Palavan. (fs, COURT STAFF) (Filed on 3/5/2018) Modified on 3/6/2018 (cpS, COURT STAFF). Modified on 3/6/2018 (cpS, COURT STAFF). (Entered: 03/05/2018)</b></p>
03/05/2018	<a href="#">61</a>	<b>ORDER GRANTING <a href="#">57</a> MOTION for leave to appear in Pro Hac Vice Shea N. Palavan ( Filing fee \$ 310, receipt number 0971-12155693.) filed by Cellspin Soft, Inc.. Signed by Judge Yvonne Gonzalez Rogers on 3/5/18. (fs, COURT STAFF) (Filed on 3/5/2018) (Entered: 03/06/2018)</b>
03/06/2018	<a href="#">68</a>	<b>Minute Entry for proceedings held before Judge Yvonne Gonzalez Rogers: Motion Hearing held and submitted on 3/6/2018 re (41 in 4:17-cv-05933-YGR) MOTION to Dismiss <i>Cellspin Soft, Inc.'s Complaints</i> filed by Misfit Inc., Fossil Group, Inc., (34 in 4:17-cv-05941-YGR) MOTION to Dismiss <i>Plaintiff Cellspin Soft, Inc.'s Complaints</i> filed by Panasonic Corporation of North America, (31 in 4:17-cv-05928-YGR) MOTION to Dismiss <i>Complaints</i> filed by Fitbit, Inc., (29 in 4:17-cv-05929-YGR) MOTION to Dismiss <i>Complaints</i> filed by Moov Inc., (28 in 4:17-cv-05931-YGR) MOTION to Dismiss <i>Complaints</i> filed by Nike, Inc., (52 in 4:17-cv-05933-YGR) MOTION to Dismiss <i>Plaintiff Cellspin Soft, Inc.'s Amended Complaint</i> filed by Misfit Inc., Fossil Group, Inc., (34 in 4:17-cv-05937-YGR) MOTION to Dismiss <i>Plaintiff Cellspin Soft, Inc.'s Complaints</i> filed by TomTom, Inc., (33 in 4:17-cv-05932-YGR, 33 in 4:17-cv-05932-YGR) MOTION to Dismiss <i>and/or</i> MOTION to Strike (24) Answer to Complaint (<i>Under Armour's Ninth Affirmative Defense</i>) filed by Cellspin Soft, Inc., (24 in 4:17-cv-06881-YGR) MOTION to Dismiss <i>Plaintiff Cellspin Soft, Inc.'s Complaints</i> filed by JK Imaging Ltd., (27 in 4:17-cv-05934-YGR) MOTION to Dismiss <i>Pursuant to Rule 12(c)</i> filed by Garmin USA, Inc., Garmin International, Inc., (31 in 4:17-cv-05939-YGR)</b>



		<b>MOTION to Dismiss <i>Plaintiff's Complaints</i> filed by GoPro, Inc. Total Time in Court: 1:12 [total time for related cases]. Court Reporter: Diane Skillman. (Attachments: # <a href="#">1</a> Supplement: List of Attorney Appearances)(fs, COURT STAFF) (Date Filed: 3/6/2018) (Entered: 03/16/2018)</b>
03/07/2018	<a href="#">62</a>	NOTICE of Lodging of Motion Hearing Demonstrative by Cellspin Soft, Inc. re <a href="#">31</a> MOTION to Dismiss <i>Complaints</i> (Attachments: # <a href="#">1</a> Exhibit A - Demonstrative Oral Hearing Presentation)(Edmonds, John) (Filed on 3/7/2018) Modified on 3/8/2018 (cpS, COURT STAFF). (Entered: 03/07/2018)
03/12/2018	<a href="#">63</a>	STIPULATION WITH PROPOSED ORDER <i>Regarding Case Schedule Deadlines as to Plaintiff's Infringement Contentions and Fitbit's Answer to Amended Complaint</i> filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Proposed Order)(Edmonds, John) (Filed on 3/12/2018) Modified on 3/13/2018 (cpS, COURT STAFF). (Entered: 03/12/2018)
03/12/2018	<a href="#">64</a>	Supplemental Brief re <a href="#">31</a> MOTION to Dismiss <i>Complaints</i> filed by Fitbit, Inc.. (Related document(s) <a href="#">31</a> ) (Brun, David) (Filed on 3/12/2018) Modified on 3/13/2018 (cpS, COURT STAFF). (Entered: 03/12/2018)
03/13/2018	<a href="#">65</a>	STIPULATION WITH PROPOSED ORDER <i>Continuing Deadlines</i> filed by Cellspin Soft, Inc.. (Edmonds, John) (Filed on 3/13/2018) Modified on 3/14/2018 (cpS, COURT STAFF). (Entered: 03/13/2018)
03/14/2018	<a href="#">66</a>	<b>ORDER GRANTING STIPULATION REGARDING CASE SCHEDULE AND DEADLINES by Judge Yvonne Gonzalez Rogers ;granting (63) Stipulation in case 4:17-cv-05928-YGR; granting (53) Stipulation in case 4:17-cv-05929-YGR; granting (52) Stipulation in case 4:17-cv-05930-YGR; granting (54) Stipulation in case 4:17-cv-05931-YGR; granting (53) Stipulation in case 4:17-cv-05932-YGR; granting (72) Stipulation in case 4:17-cv-05933-YGR; granting (51) Stipulation in case 4:17-cv-05934-YGR; granting (62) Stipulation in case 4:17-cv-05936-YGR; granting (59) Stipulation in case 4:17-cv-05938-YGR; granting (56) Stipulation in case 4:17-cv-05939-YGR; granting (56) Stipulation in case 4:17-cv-05941-YGR; granting (59) Stipulation in case 4:17-cv-06881-YGR. (fs, COURT STAFF) (Filed on 3/14/2018) (Entered: 03/14/2018)</b>
03/15/2018	<a href="#">67</a>	<b>ORDER GRANTING STIPULATION by Judge Yvonne Gonzalez Rogers: granting (65) Stipulation in case 4:17-cv-05928-YGR; granting (55) Stipulation in case 4:17-cv-05929-YGR; granting (53) Stipulation in case 4:17-cv-05930-YGR; granting (55) Stipulation in case 4:17-cv-05931-YGR; granting (55) Stipulation in case 4:17-cv-05932-YGR; granting (73) Stipulation in case 4:17-cv-05933-YGR; granting (53) Stipulation in case 4:17-cv-05934-YGR; granting (61) Stipulation in case 4:17-cv-05938-YGR; granting (58) Stipulation in case 4:17-cv-05939-YGR; granting (58) Stipulation in case 4:17-cv-05941-YGR; granting (61) Stipulation in case 4:17-cv-06881-YGR. (fs, COURT STAFF) (Filed on 3/15/2018) (Entered: 03/15/2018)</b>
03/16/2018	<a href="#">69</a>	Transcript of Proceedings held on March 6, 2018, before Judge Yvonne Gonzalez Rogers. Court Reporter Diane E. Skillman, telephone number 925-899-2812, Diane_Skillman@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public

		terminal or may be purchased through the Court Reporter until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re (61 in 4:17-cv-05936-YGR) Transcript Order ) Release of Transcript Restriction set for 6/14/2018. (Skillman, Diane) (Filed on 3/16/2018) (Entered: 03/16/2018)
03/19/2018	<a href="#">70</a>	<p>***<b>FILED IN ERROR. SEE DOCUMENT # <a href="#">71</a></b>***</p> <p>TRANSCRIPT ORDER for proceedings held on 3/6/2018 before Judge Yvonne Gonzalez Rogers by Cellspin Soft, Inc., for Court Reporter Diane Skillman. (Edmonds, John) (Filed on 3/19/2018) Modified on 3/19/2018 (cpS, COURT STAFF). (Entered: 03/19/2018)</p>
03/19/2018	<a href="#">71</a>	TRANSCRIPT ORDER for proceedings held on 3/6/2018 before Judge Yvonne Gonzalez Rogers by Cellspin Soft, Inc., for Court Reporter Diane Skillman. (Edmonds, John) (Filed on 3/19/2018) (Entered: 03/19/2018)
03/20/2018	<a href="#">72</a>	NOTICE of Supplemental Authority by Cellspin Soft, Inc. <a href="#">38</a> Opposition/Response to Motion (Attachments: # <a href="#">1</a> Declaration of John J. Edmonds, # <a href="#">2</a> Exhibit A - Vaporstream Opinion)(Edmonds, John) (Filed on 3/20/2018) Modified on 3/21/2018 (cpS, COURT STAFF). (Entered: 03/20/2018)
03/20/2018	<a href="#">73</a>	RESPONSE to re <a href="#">64</a> Supplemental Brief by Cellspin Soft, Inc.. (Edmonds, John) (Filed on 3/20/2018) (Entered: 03/20/2018)
03/21/2018		<p>NOTICE TO COUNSEL: Document # <a href="#">72</a> filed by Cellspin Soft Inc also listed the related cases 4:17-cv-05930-YGR, 4:17-cv-05932-YGR, 4:17-cv-05936-YGR.</p> <p>Document # <a href="#">73</a> filed by Cellspin Soft Inc also listed the related cases 4:17-cv-05930-YGR, and 4:17-cv-05936-YGR</p> <p>If these documents are intended to be applied to the related case, please e-file in the related case also. If the document is <u>not</u> applicable to the related case, DO NOT include that case number on the document (cpS, COURT STAFF) (Filed on 3/21/2018) (Entered: 03/21/2018)</p>
03/22/2018	<a href="#">74</a>	<b>ORDER TO SHOW CAUSE Order to Show Cause Hearing set for Monday, 4/2/2018 03:01 PM. Show Cause Response due by Monday, 3/26/2018. Signed by Judge Yvonne Gonzalez Rogers on 3/22/2018. (fs, COURT STAFF) (Filed on 3/22/2018) (Entered: 03/22/2018)</b>
03/26/2018	<a href="#">75</a>	MOTION for Leave to File <i>Response to Defendants' Supplemental Briefing in Support of Motion to Dismiss Plaintiff Cellspin Soft Inc's Complaints</i> filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Declaration of John J. Edmonds, # <a href="#">3</a> Exhibit A - Response to Defendants' Supplemental Briefing)(Edmonds, John) (Filed on 3/26/2018) Modified on 3/27/2018 (cpS, COURT STAFF). Modified on 3/30/2018 (cp, COURT STAFF).

		*** <b>DISREGARD PROPOSED ORDER. RE-FILED AT DOCUMENT # <a href="#">77</a></b> *** Modified on 3/30/2018 (cp, COURT STAFF). (Entered: 03/26/2018)
03/26/2018	<a href="#">76</a>	RESPONSE RE: THIS COURTS ORDER RE: RESPONSE TO DEFENDANTS SUPPLEMENTAL BRIEF IN SUPPORT OF MOTION TO DISMISS PLAINTIFF CELLSPIN SOFT, INC.S COMPLAINTS by Cellspin Soft, Inc. . (Edmonds, John) (Filed on 3/26/2018) Modified on 3/27/2018 (cpS, COURT STAFF). (Entered: 03/26/2018)
03/28/2018	<a href="#">77</a>	Proposed Order re <a href="#">75</a> MOTION for Leave to File <i>Response to Defendants' Supplemental Briefing in Support of Motion to Dismiss Plaintiff Cellspin Soft Inc's Complaints</i> by Cellspin Soft, Inc.. (Edmonds, John) (Filed on 3/28/2018) (Entered: 03/28/2018)
03/29/2018	<a href="#">78</a>	<b>ORDER VACATING HEARING ON ORDER TO SHOW CAUSE. Signed by Judge Yvonne Gonzalez Rogers on 3/29/18. (fs, COURT STAFF) (Filed on 3/29/2018) (Entered: 03/29/2018)</b>
04/03/2018	<a href="#">79</a>	<b>ORDER RE: OMNIBUS MOTION TO DISMISS; MOTION FOR JUDGMENT ON THE PLEADINGS by Judge Yvonne Gonzalez Rogers; Court GRANTS the Omnibus Defendants' motion to dismiss and GRANTS Garmin's motion for judgment on the pleadings. Defendants shall file a proposed order of judgment approved as to form with five(5) days for each of the captioned matters;granting (75) Motion for Leave to File; granting (31) Motion to Dismiss in case 4:17-cv-05928-YGR; granting (63) Motion for Leave to File; granting (29) Motion to Dismiss in case 4:17-cv-05929-YGR; granting (63) Motion for Leave to File; granting (23) Motion to Dismiss in case 4:17-cv-05931-YGR; granting (41) Motion to Dismiss; granting (81) Motion for Leave to File in case 4:17-cv-05933-YGR; granting (61) Motion for Leave to File; granting (27) Motion to Dismiss in case 4:17-cv-05934-YGR; granting (43) Motion to Dismiss; granting (69) Motion for Leave to File in case 4:17-cv-05938-YGR; granting (66) Motion for Leave to File; granting (31) Motion to Dismiss in case 4:17-cv-05939-YGR; granting (67) Motion for Leave to File; granting (34) Motion to Dismiss in case 4:17-cv-05941-YGR; granting (43) Motion to Dismiss; granting (70) Motion for Leave to File in case 4:17-cv-06881-YGR. (fs, COURT STAFF) (Filed on 4/3/2018) (Entered: 04/03/2018)</b>
04/09/2018	<a href="#">80</a>	Proposed Judgment by Fitbit, Inc.. (Brun, David) (Filed on 4/9/2018) Modified on 4/10/2018 (cpS, COURT STAFF). (Entered: 04/09/2018)
04/10/2018	<a href="#">81</a>	<b>JUDGMENT. Signed by Judge Yvonne Gonzalez Rogers on 4/10/18. (fs, COURT STAFF) (Filed on 4/10/2018) (Entered: 04/10/2018)</b>
04/11/2018	<a href="#">82</a>	NOTICE OF APPEAL to the Federal Circuit as to <a href="#">81</a> Judgment, <a href="#">79</a> Order on Motion to Dismiss by Cellspin Soft Inc. Filing fee \$505, receipt number 0971-12266013 Appeal Record due by 5/11/2018. (Edmonds, John) (Filed on 4/11/2018) Modified on 4/12/2018 (cpS, COURT STAFF). Modified on 4/13/2018 (cpS, COURT STAFF). Modified on 8/2/2019 (jmlS, COURT STAFF). (Entered: 04/11/2018)

04/12/2018		E-Mail PDF appeal package to USCA for the Federal Circuit. (cpS, COURT STAFF) (Filed on 4/12/2018) (Entered: 04/12/2018)
04/13/2018	<a href="#">83</a>	USCA Case Number 18-1817 Federal Circuit for <a href="#">82</a> Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc. (cjlS, COURT STAFF) (Filed on 4/13/2018) (Entered: 04/13/2018)
04/16/2018	<a href="#">84</a>	REPORT on the determination of an action regarding patent (cc: form mailed to register). (cpS, COURT STAFF) (Filed on 4/16/2018) (Entered: 04/16/2018)
04/24/2018	<a href="#">85</a>	MOTION for Attorney Fees filed by Fitbit, Inc.. Motion Hearing set for 5/29/2018 02:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. Responses due by 5/8/2018. Replies due by 5/15/2018. (Attachments: # <a href="#">1</a> Exhibit A to Motion for Attorneys' Fees, # <a href="#">2</a> Declaration of Shane Brun in Support, # <a href="#">3</a> Exhibit 1 to Brun Declaration, # <a href="#">4</a> Exhibit 2 to Brun Declaration)(Brun, David) (Filed on 4/24/2018) (Entered: 04/24/2018)
04/25/2018	<a href="#">86</a>	*** <b>DISREGARD - FILED IN ERROR (INCORRECT FORM)</b> *** Transcript Designation Form (Edmonds, John) (Filed on 7/31/2018) Modified on 8/1/2018 (rjdS, COURT STAFF). (Entered: 04/25/2018)
04/27/2018	<a href="#">87</a>	<b>ORDER DIRECTING FURTHER SUBMISSION IN SUPPORT OF MOTION FOR ATTORNEY' FEES re <a href="#">85</a> MOTION for Attorney Fees filed by Fitbit, Inc. Supplemental documents filed by 5/7/2018. Signed by Judge Yvonne Gonzalez Rogers on 4/27/2018. (fs, COURT STAFF) (Filed on 4/27/2018) (Entered: 04/27/2018)</b>
05/03/2018	<a href="#">88</a>	Supplemental Declaration of Shane Brun in Support of <a href="#">85</a> MOTION for Attorney Fees filed by Fitbit, Inc.. (Attachments: # <a href="#">1</a> Exhibit 1 to Brun Declaration, # <a href="#">2</a> Exhibit 2 to Brun Declaration)(Related document(s) <a href="#">85</a> ) (Brun, David) (Filed on 5/3/2018) Modified on 5/4/2018 (cpS, COURT STAFF). (Entered: 05/03/2018)
05/04/2018	<a href="#">89</a>	STIPULATION WITH PROPOSED ORDER to Extend Time for Plaintiff to Respond to re <a href="#">85</a> MOTION for Attorney Fees filed by Cellspin Soft, Inc., Fitbit Inc. (Edmonds, John) (Filed on 5/4/2018) Modified on 5/4/2018 (cpS, COURT STAFF). (Entered: 05/04/2018)
05/04/2018	<a href="#">90</a>	<b>ORDER [*AS MODIFIED BY THE COURT*] by Judge Yvonne Gonzalez Rogers granting (89) Stipulation in case 4:17-cv-05928-YGR; granting (77) Stipulation in case 4:17-cv-05929-YGR; granting (75) Stipulation in case 4:17-cv-05931-YGR; granting (94) Stipulation in case 4:17-cv-05933-YGR; granting (82) Stipulation in case 4:17-cv-05938-YGR; granting (81) Stipulation in case 4:17-cv-05939-YGR. (fs, COURT STAFF) (Filed on 5/4/2018) (Entered: 05/04/2018)</b>
05/04/2018		Set/Reset Deadlines as to (85 in 4:17-cv-05928-YGR) MOTION for Attorney Fees , (73 in 4:17-cv-05929-YGR) MOTION for Attorney Fees , (73 in 4:17-cv-05931-YGR) MOTION for Attorney Fees , (92 in 4:17-cv-05933-YGR) MOTION for Attorney Fees , (79 in 4:17-cv-05938-YGR) MOTION for Attorney Fees , (76 in 4:17-cv-05939-YGR) MOTION for Exceptional Case Finding and Attorneys' Fees. Responses due by 5/15/2018. Replies due by 5/22/2018. Motion Hearing set for 6/12/2018 01:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne



		Gonzalez Rogers. (fs, COURT STAFF) (Filed on 5/4/2018) (Entered: 05/04/2018)
05/15/2018	<a href="#">91</a>	OPPOSITION/RESPONSE (re <a href="#">85</a> MOTION for Attorney Fees ) filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Declaration of John J. Edmonds, # <a href="#">3</a> Exhibit 1 - '766 Patent, # <a href="#">4</a> Exhibit 2 - 101 Hearing Transcript, # <a href="#">5</a> Exhibit 3 - Michel Interview)(Edmonds, John) (Filed on 5/15/2018) (Entered: 05/15/2018)
05/22/2018	<a href="#">92</a>	REPLY (re <a href="#">85</a> MOTION for Attorney Fees ) filed by Fitbit, Inc.. (Attachments: # <a href="#">1</a> Declaration of Shane Brun, # <a href="#">2</a> Exhibit 3)(Brun, David) (Filed on 5/22/2018) (Entered: 05/22/2018)
06/12/2018	<a href="#">93</a>	<b>Minute Entry for proceedings held before Judge Yvonne Gonzalez Rogers: Motion Hearing held on 6/12/2018 re (73 in 4:17-cv-05929-YGR) MOTION for Attorney Fees filed by Moov Inc., (92 in 4:17-cv-05933-YGR) MOTION for Attorney Fees filed by Misfit Inc., Fossil Group, Inc., (79 in 4:17-cv-05938-YGR) MOTION for Attorney Fees filed by Canon U.S.A., Inc., (76 in 4:17-cv-05939-YGR) MOTION for Exceptional Case Finding and Attorneys' Fees filed by GoPro, Inc., (85 in 4:17-cv-05928-YGR) MOTION for Attorney Fees filed by Fitbit, Inc., (73 in 4:17-cv-05931-YGR) MOTION for Attorney Fees filed by Nike, Inc. Total Time in Court: 60 minutes total: 10 minutes per case. Court Reporter: Sarah Goekler. (Attachments: # <a href="#">1</a> Exhibit; Attachment with Attorney Appearances)(fs, COURT STAFF) (Date Filed: 6/12/2018) (Entered: 06/13/2018)</b>
07/06/2018	<a href="#">94</a>	<b>ORDER GRANTING IN PART MOTIONS FOR ATTORNEY' FEES by Judge Yvonne Gonzalez Rogers ;granting in part (85) Motion for Attorney Fees in case 4:17-cv-05928-YGR; granting in part (73) Motion for Attorney Fees in case 4:17-cv-05929-YGR; granting in part (73) Motion for Attorney Fees in case 4:17-cv-05931-YGR; granting in part (92) Motion for Attorney Fees in case 4:17-cv-05933-YGR; granting in part (79) Motion for Attorney Fees in case 4:17-cv-05938-YGR; granting in part (76) Motion for Attorney Fees in case 4:17-cv-05939-YGR. (fs, COURT STAFF) (Filed on 7/6/2018) (Entered: 07/06/2018)</b>
07/10/2018	<a href="#">95</a>	TRANSCRIPT ORDER for proceedings held on 6/12/2018 before Judge Yvonne Gonzalez Rogers by Cellspin Soft, Inc., for Court Reporter Sarah Goekler. (Edmonds, John) (Filed on 7/10/2018) (Entered: 07/10/2018)
07/17/2018	<a href="#">96</a>	Transcript of Proceedings held on 06/12/2018, before Judge Gonzalez Rogers. Court Reporter/Transcriber Sarah Goekler, telephone number sgoekler.csr@gmail.com; (530)941-2621. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re (95 in 4:17-cv-05928-YGR) Transcript Order ) Release of Transcript Restriction set for 10/15/2018. (slg, COURT STAFF) (Filed on 7/17/2018) (Entered: 07/17/2018)
07/17/2018	<a href="#">97</a>	NOTICE OF APPEAL to the Federal Circuit as to <a href="#">94</a> Order on Motion for Attorney Fees,,,,,,,,,,,,, by Cellspin Soft, Inc.. Filing fee \$ 505, receipt number 0971-

		12519031. Appeal Record due by 8/16/2018. (Edmonds, John) (Filed on 7/17/2018) (Entered: 07/17/2018)
07/18/2018		Electronically mailed appeal package to the Federal Circuit. (cpS, COURT STAFF) (Filed on 7/18/2018) (Entered: 07/18/2018)
07/23/2018	<a href="#">98</a>	USCA Case Number 18-2178 Federal Circuit for <a href="#">97</a> Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc. (LEAD CASE) (cjlS, COURT STAFF) (Filed on 7/23/2018) (Entered: 07/23/2018)
07/31/2018	<a href="#">99</a>	*** <b>DISREGARD - FILED IN ERROR (INCORRECT FORM)</b> *** Transcript Designation Form (Edmonds, John) (Filed on 7/31/2018) Modified on 8/1/2018 (rjdS, COURT STAFF). (Entered: 07/31/2018)
08/22/2018	<a href="#">100</a>	NOTICE by Cellspin Soft, Inc. of <i>Withdrawal of Counsel, Brandon G. Moore</i> (Edmonds, John) (Filed on 8/22/2018) (Entered: 08/22/2018)
09/25/2018	<a href="#">101</a>	APPLICATION for Writ of Execution by Fitbit, Inc.. (Attachments: # <a href="#">1</a> Exhibit A - Proposed Writ of Execution)(Brun, David) (Filed on 9/25/2018) (Entered: 09/25/2018)
09/26/2018	<a href="#">102</a>	<b>WRIT of Execution issued in the amount of \$65,942.15 as to Cellspin Soft Inc. (original mailed to Shane Brun) (cpS, COURT STAFF) (Filed on 9/26/2018) (Entered: 09/26/2018)</b>
10/23/2018	<a href="#">103</a>	Notice of Change of Firm Affiliation by Fitbit, Inc. (Brun, David) (Filed on 10/23/2018) Modified on 10/24/2018 (cjlS, COURT STAFF). (Entered: 10/23/2018)
01/16/2019	<a href="#">104</a>	NOTICE by Fitbit, Inc. of <i>Withdrawal of Counsel Rachel M. Walsh</i> (Walsh, Rachel) (Filed on 1/16/2019) (Entered: 01/16/2019)
01/16/2019	<a href="#">105</a>	NOTICE by Fitbit, Inc. of <i>Withdrawal of Counsel Anjali Moorthy</i> (Moorthy, Anjali) (Filed on 1/16/2019) (Entered: 01/16/2019)
01/16/2019	<a href="#">106</a>	NOTICE by Fitbit, Inc. of <i>Withdrawal of Counsel Neel Chatterjee</i> (Chatterjee, Indra) (Filed on 1/16/2019) (Entered: 01/16/2019)
03/19/2019	<a href="#">107</a>	NOTICE by Cellspin Soft, Inc. of <i>Withdrawal of Counsel Shea N. Palavan</i> (Palavan, Shea) (Filed on 3/19/2019) (Entered: 03/19/2019)
06/25/2019	<a href="#">108</a>	OPINION of United States Court of Appeals for the Federal Circuit VACATED AND REMANDED as to <a href="#">97</a> Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc. (jmlS, COURT STAFF) (Filed on 6/25/2019) Modified on 6/26/2019 (jmlS, COURT STAFF). (Entered: 06/26/2019)
06/26/2019	<a href="#">109</a>	United States Court of Appeals for the Federal Circuit JUDGMENT -VACATED AND REMANDED as to (68 in 4:17-cv-05934-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (74 in 4:17-cv-05941-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (70 in 4:17-cv-05929-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (82 in 4:17-cv-05928-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (73 in 4:17-cv-05939-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (88

		in 4:17-cv-05933-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (77 in 4:17-cv-06881-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (76 in 4:17-cv-05938-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (70 in 4:17-cv-05931-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc. (jmlS, COURT STAFF) (Filed on 6/26/2019) (Entered: 06/26/2019)
06/26/2019	<a href="#">110</a>	United States Court of Appeals for the Federal Circuit JUDGMENT -VACATED AND REMANDED as to (70 in 4:17-cv-05929-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (82 in 4:17-cv-05928-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (73 in 4:17-cv-05939-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (88 in 4:17-cv-05933-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (76 in 4:17-cv-05938-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (70 in 4:17-cv-05931-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc. (jmlS, COURT STAFF) (Filed on 6/26/2019) (Entered: 06/26/2019)
08/01/2019	<a href="#">111</a>	MANDATE of USCA as to (93 in 4:17-cv-05938-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (84 in 4:17-cv-05931-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (103 in 4:17-cv-05933-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (89 in 4:17-cv-05939-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (84 in 4:17-cv-05929-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (97 in 4:17-cv-05928-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc. (cpS, COURT STAFF) (Filed on 8/1/2019) (Entered: 08/01/2019)
08/15/2019	<a href="#">112</a>	MANDATE of USCA as to (68 in 4:17-cv-05934-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (74 in 4:17-cv-05941-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (70 in 4:17-cv-05929-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (82 in 4:17-cv-05928-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (73 in 4:17-cv-05939-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (88 in 4:17-cv-05933-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (76 in 4:17-cv-05938-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc., (70 in 4:17-cv-05931-YGR) Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc. (jmlS, COURT STAFF) (Filed on 8/15/2019) (Entered: 08/15/2019)
08/19/2019	<a href="#">113</a>	<b>ORDER. Parties who have not answered the first amended complaint are to do so by 8/30/2019. Specially set Case Management Conference shall be held on Wednesday, 10/9/2019 02:00 PM in Oakland, Courtroom 1, 4th Floor. Joint Case Management Statement as explained in this Order to be filed by 9/25/2019. Counsel to file by 10/4/2019 a joint notice which identifies all counsel and the parties they represent that will be appearing at the case management conference on 10/9/2019. Signed by Judge Yvonne Gonzalez Rogers on 8/19/2019. (fs, COURT STAFF) (Filed on 8/19/2019) (Entered: 08/19/2019)</b>
08/30/2019	<a href="#">114</a>	ANSWER to Amended Complaint byFitbit, Inc.. (Brun, David) (Filed on 8/30/2019)

		(Entered: 08/30/2019)
09/20/2019	<a href="#">115</a>	ANSWER TO COUNTERCLAIM by Cellspin Soft, Inc.. (Edmonds, John) (Filed on 9/20/2019) (Entered: 09/20/2019)
09/24/2019	<a href="#">116</a>	STIPULATION WITH PROPOSED ORDER <i>FOR EXTENSION OF TIME TO SUBMIT JOINT CMC STATEMENT</i> filed by Cellspin Soft, Inc., Fitbit, Inc. (Edmonds, John) (Filed on 9/24/2019) Modified on 9/25/2019 (cjlS, COURT STAFF). (Entered: 09/24/2019)
09/26/2019	<a href="#">117</a>	<b>ORDER GRANTING STIPULATION FOR EXTENSION OF DEADLINE FOR JOINT CASE MANAGEMENT STATEMENT by Judge Yvonne Gonzalez Rogers; granting (116) Stipulation in case 4:17-cv-05928-YGR; granting (99) Stipulation in case 4:17-cv-05929-YGR; granting (73) Stipulation in case 4:17-cv-05930-YGR; granting (95) Stipulation in case 4:17-cv-05931-YGR; granting (76) Stipulation in case 4:17-cv-05932-YGR; granting (143) Stipulation in case 4:17-cv-05933-YGR; granting (83) Stipulation; granting (84) Stipulation in case 4:17-cv-05934-YGR; granting (86) Stipulation in case 4:17-cv-05936-YGR; granting (119) Stipulation in case 4:17-cv-05939-YGR; granting (86) Stipulation in case 4:17-cv-05941-YGR; granting (87) Stipulation in case 4:17-cv-06881-YGR. Case Management Statement deadline extended to 9/30/2019. (fs, COURT STAFF) (Filed on 9/26/2019) (Entered: 09/26/2019)</b>
09/27/2019	<a href="#">118</a>	STIPULATION WITH PROPOSED ORDER <i>FOR STAY PENDING U.S. SUPREME COURT REVIEW</i> filed by Cellspin Soft, Inc. and Fitbit, Inc. (Edmonds, John) (Filed on 9/27/2019) Modified on 9/30/2019 (jmlS, COURT STAFF). (Entered: 09/27/2019)
09/27/2019	<a href="#">119</a>	<b>EXHIBIT INCOMPLETE. RE-FILED AT DKT. NO. 120</b>  <b>EXHIBITS re <a href="#">118</a> STIPULATION WITH PROPOSED ORDER <i>FOR STAY PENDING U.S. SUPREME COURT REVIEW - EXHIBIT A (CERT PETITION)</i> filed by Cellspin Soft, Inc.. (Related document(s) <a href="#">118</a> ) (Edmonds, John) (Filed on 9/27/2019) Modified on 9/27/2019 (fs, COURT STAFF). (Entered: 09/27/2019)</b>
09/27/2019	<a href="#">120</a>	EXHIBITS re <a href="#">118</a> STIPULATION WITH PROPOSED ORDER <i>FOR STAY PENDING U.S. SUPREME COURT REVIEW</i> , <a href="#">119</a> Exhibits - <i>CORRECTED EXHIBIT A</i> filed by Cellspin Soft, Inc.. (Related document(s) <a href="#">118</a> , <a href="#">119</a> ) (Edmonds, John) (Filed on 9/27/2019) (Entered: 09/27/2019)
09/30/2019	<a href="#">121</a>	<b>ORDER GRANTING STIPULATION FOR STAY PENDING U.S. SUPREME COURT REVIEW by Judge Yvonne Gonzalez Rogers granting (118) Stipulation in case 4:17-cv-05928-YGR; granting (101) Stipulation in case 4:17-cv-05929-YGR; granting (75) Stipulation in case 4:17-cv-05930-YGR; granting (97) Stipulation in case 4:17-cv-05931-YGR; granting (78) Stipulation in case 4:17-cv-05932-YGR; granting (145) Stipulation in case 4:17-cv-05933-YGR; granting (87) Stipulation in case 4:17-cv-05934-YGR; granting (89) Stipulation in case 4:17-cv-05936-YGR; granting (133) Stipulation in case 4:17-cv-05938-YGR; granting (122) Stipulation in case 4:17-cv-05939-YGR; granting (89) Stipulation in case 4:17-cv-05941-YGR; granting (90) Stipulation in case 4:17-cv-06881-YGR. (fs,</b>



		<b>COURT STAFF) (Filed on 9/30/2019) (Entered: 09/30/2019)</b>
09/30/2019	122	CLERK'S NOTICE: In light of the Order Granting Stipulation for Stay of Cases Pending U.S. Supreme Court Review, the Wednesday, October 9, 2019 at 2:00pm Case Management Conference date is VACATED.  <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 9/30/2019) (Entered: 09/30/2019)
01/10/2020	<a href="#">123</a>	NOTICE of Appearance by Randall Garteiser (Garteiser, Randall) (Filed on 1/10/2020) (Entered: 01/10/2020)
01/10/2020	<a href="#">124</a>	NOTICE of Appearance by Christopher Alan Honea (Honea, Christopher) (Filed on 1/10/2020) (Entered: 01/10/2020)
01/13/2020	<a href="#">125</a>	NOTICE by Cellspin Soft, Inc. of <i>Withdrawal of Counsel John Edmonds</i> (Edmonds, John) (Filed on 1/13/2020) (Entered: 01/13/2020)
01/17/2020	<a href="#">126</a>	NOTICE OF DENIAL OF PETITION FOR CERTIORARI BY THE SUPREME COURT OF THE UNITED STATES by Cellspin Soft, Inc. re <a href="#">121</a> Order on Stipulation (Garteiser, Randall) (Filed on 1/17/2020) Modified on 1/21/2020 (cpS, COURT STAFF). (Entered: 01/17/2020)
01/17/2020	<a href="#">127</a>	NOTICE of Appearance by Michael Scott Fuller (Fuller, Michael) (Filed on 1/17/2020) (Entered: 01/17/2020)
04/21/2020	<a href="#">128</a>	NOTICE of Readiness for CMC by Cellspin Soft, Inc. (Garteiser, Randall) (Filed on 4/21/2020) Modified on 4/22/2020 (jjsS, COURT STAFF). (Entered: 04/21/2020)
04/22/2020	130	CLERK'S NOTICE: In light of the Notice of Readiness for CMC, the Court specially SETs a case management conference for Tuesday, May 26, 2020, at 10:00 a.m. PDT. A case management statement is due Tuesday, May 19, 2020. In light of the uncertainties with the ongoing coronavirus disease (COVID-19) pandemic, the parties are instructed to check the Courts scheduling notes to determine whether the conference will be held in person or by some alternate platform. Further, the Court requests that the parties file one comprehensive statement for all of the Cellspin cases, and include a chart with the proposed dates showing where there is agreement versus disagreement.  <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 4/22/2020) (Entered: 05/25/2020)
04/22/2020		Set Deadlines/Hearings: Case Management Statement due by 5/19/2020. Further Case Management Conference set for 5/26/2020 10:00 AM. (fs, COURT STAFF) (Filed on 4/22/2020) (Entered: 05/25/2020)
05/19/2020	<a href="#">129</a>	CASE MANAGEMENT STATEMENT filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Exhibit 1 - Aatrix Scheduling Order, # <a href="#">2</a> Declaration 2 - Lamkin Decl ISO Omnibus Statement, # <a href="#">3</a> Exhibit A - Garmin - Petition for Certiorari, # <a href="#">4</a> Exhibit B - Email Correspondence)(Garteiser, Randall) (Filed on 5/19/2020) Modified on 5/20/2020 (jjsS, COURT STAFF). (Entered: 05/19/2020)

05/25/2020	131	<p>CLERKS NOTICE SETTING ZOOM HEARING.</p> <p>Further Case Management Conference set for 5/26/2020 10:00 AM.</p> <p>The Case Management- Conference hearing set in this case on 5/26/2020 will be held by Zoom Webinar at 10:00 AM.</p> <p>Any person who wishes to appear or to attend/observe the hearing may do so by joining the Zoom webinar by using the links and/or dial-in information below. Parties will be instructed use the raise hand function in order make their appearance at the hearing.</p> <p>For Zoom connection, see: <a href="https://apps.cand.uscourts.gov/telhrq/">https://apps.cand.uscourts.gov/telhrq/</a></p> <p>This proceeding will be a Zoom video conferencing webinar.</p> <p>All counsel, members of the public and press please click the link or use the information below to join the webinar:</p> <p><a href="https://us02web.zoom.us/j/94891230736?pwd=eFJURURiQWt5VFgraGRpdWRKc0FyQT09">https://us02web.zoom.us/j/94891230736?pwd=eFJURURiQWt5VFgraGRpdWRKc0FyQT09</a></p> <p>Meeting ID: 948 9123 0736 Password: 535199</p> <p>Dial by your location +1 929 205 6099 US (New York) +1 253 215 8782 US +1 301 715 8592 US +1 312 626 6799 US (Chicago) +1 346 248 7799 US (Houston) +1 669 900 6833 US (San Jose) Find your local number: <a href="https://zoom.us/u/ac4JkPfcjo">https://zoom.us/u/ac4JkPfcjo</a></p> <p>For important information and guidance on technical preparation, please see <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>.</p> <p>Further Case Management Conference set for 5/26/2020 10:00 AM.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 5/25/2020) (Entered: 05/25/2020)</p>
05/26/2020	<a href="#">135</a>	<p><b>Minute Entry for proceedings held before Judge Yvonne Gonzalez Rogers: Further Case Management Conference held on 5/26/2020. Tutorial set 1/22/2021</b></p>

		<b>at 9:30 AM. Markman hearing set 1/29/2021 at 9:30 AM.Total Time in Court: 45 minutes [Total for 8 cases]. Court Reporter: Raynee Mercado. (fs, COURT STAFF) (Date Filed: 5/26/2020) (Entered: 06/12/2020)</b>
05/26/2020		Set Deadlines/Hearings: Claims Construction Hearing set for 1/29/2021 09:30 AM. Tutorial Hearing set for 1/22/2021 09:30 AM in Oakland, Courtroom 1, 4th Floor. (fs, COURT STAFF) (Filed on 5/26/2020) (Entered: 06/12/2020)
05/29/2020	<a href="#">132</a>	NOTICE re Proposed Scheduling Order, In Accordance with Court Instructions During CMC by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Exhibit A - Scheduling Order Version A, # <a href="#">2</a> Exhibit B - Scheduling Order Version B)(Garteiser, Randall) (Filed on 5/29/2020) Modified on 6/1/2020 (jjbS, COURT STAFF). (Entered: 05/29/2020)
05/29/2020	<a href="#">133</a>	NOTICE of Supplemental Authority Concerning Proposed Eligibility Contention Requirement by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Exhibit A - TXED Standing Order)(Garteiser, Randall) (Filed on 5/29/2020) Modified on 6/1/2020 (jjbS, COURT STAFF). Modified on 6/1/2020 (jjbS, COURT STAFF). (Entered: 05/29/2020)
06/01/2020	<a href="#">134</a>	RESPONSE to <a href="#">133</a> <i>Notice of Supplemental Authority Concerning Eligibility Contention Requirement</i> by Fitbit, Inc.. (Brun, David) (Filed on 6/1/2020) Modified on 6/2/2020 (jjbS, COURT STAFF). (Entered: 06/01/2020)
06/12/2020	<a href="#">136</a>	<b>SCHEDULING ORDER. Signed by Judge Yvonne Gonzalez Rogers on 6/12/2020. (fs, COURT STAFF) (Filed on 6/12/2020) (Entered: 06/12/2020)</b>
06/22/2020	<a href="#">137</a>	NOTICE of Compliance regarding <i>Infringement Contentions and Eligibility Contentions</i> by Cellspin Soft, Inc. (Fuller, Michael) (Filed on 6/22/2020) Modified on 6/23/2020 (jjbS, COURT STAFF). (Entered: 06/22/2020)
06/24/2020	<a href="#">138</a>	NOTICE OF DISCOVERY by Cellspin Soft, Inc. (Garteiser, Randall) (Filed on 6/24/2020) Modified on 6/25/2020 (cjlS, COURT STAFF). (Entered: 06/24/2020)
06/30/2020	<a href="#">139</a>	NOTICE of Change of Address by David Shane Brun , <i>Counsel for Defendant Fitbit, Inc.</i> (Brun, David) (Filed on 6/30/2020) (Entered: 06/30/2020)
07/01/2020	<a href="#">140</a>	NOTICE <i>Of Joinder To Garmin's Motion To Strike Or Compel Amendment Of Cellspin's Inventiveness Contentions and LR 6-3 Motion To Shorten Time</i> by Fitbit, Inc. (Brun, David) (Filed on 7/1/2020) Modified on 7/2/2020 (jjbS, COURT STAFF). (Entered: 07/01/2020)
07/17/2020	<a href="#">141</a>	<b>ORDER DENYING DEFENDANTS' MOTION TO STRIKE OR TO COMPEL AMENDMENT OF CELLSPIN'S INVENTIVENESS CONTENTIONS by Judge Yvonne Gonzalez Rogers in case 4:17-cv-05928-YGR; denying (170) Motion to Compel in case 4:17-cv-05933-YGR; denying (117) Motion to Strike in case 4:17-cv-05934-YGR. (fs, COURT STAFF) (Filed on 7/17/2020) (Entered: 07/17/2020)</b>
07/28/2020	<a href="#">142</a>	MOTION for Extension of Time to Complete Discovery <i>Local Rule 6-3 Unopposed Motion to Change Time</i> filed by Fitbit, Inc.. (Bonilla, Ricardo) (Filed on 7/28/2020) (Entered: 07/28/2020)
07/28/2020	<a href="#">143</a>	<b>ORDER by Judge Yvonne Gonzalez Rogers granting (142) Motion for Extension</b>

		<b>of Time to Complete Discovery in case 4:17-cv-05928-YGR; granting (123) Motion to Continue in case 4:17-cv-05934-YGR. (fs, COURT STAFF) (Filed on 7/28/2020) (Entered: 07/28/2020)</b>
08/10/2020	<a href="#">144</a>	NOTICE of Patent Rule 4-1 disclosure by Cellspin Soft, Inc. (Garteiser, Randall) (Filed on 8/10/2020) Modified on 8/11/2020 (jmlS, COURT STAFF). (Entered: 08/10/2020)
08/31/2020	<a href="#">145</a>	NOTICE by Cellspin Soft, Inc. of LPR 4-2 Disclosure (Garteiser, Randall) (Filed on 8/31/2020) (Entered: 08/31/2020)
09/09/2020	<a href="#">146</a>	NOTICE of Disclosure of Expert Reports by Cellspin Soft, Inc. (Garteiser, Randall) (Filed on 9/9/2020) Modified on 9/10/2020 (jjbS, COURT STAFF). Modified on 9/10/2020 (jjbS, COURT STAFF). (Entered: 09/09/2020)
09/29/2020	<a href="#">147</a>	CLAIM CONSTRUCTION STATEMENT filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Patent Rule 4-3 Joint Claim Construction Statement)(Garteiser, Randall) (Filed on 9/29/2020) (Entered: 09/29/2020)
10/06/2020	<a href="#">148</a>	NOTICE of Joinder to Defendants' Notice of Motion and Motion for Summary Judgment Regarding Subject Matter Ineligibility by Fitbit, Inc. (Brun, David) (Filed on 10/6/2020) Modified on 10/7/2020 (jjbS, COURT STAFF). (Entered: 10/06/2020)
10/23/2020	<a href="#">149</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">148</a> Notice (Other), <a href="#">136</a> Order filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Proposed Order)(Fuller, Michael) (Filed on 10/23/2020) (Entered: 10/23/2020)
10/28/2020	<a href="#">150</a>	<b>ORDER GRANTING MOTIONS TO EXTEND DEADLINES by Judge Yvonne Gonzalez Rogers;11/6/2020 Deadline to complete Discovery relating to Claim Construction. 10/30/2020 deadline for Plaintiff's Response Brief to Defendants' Motion for Summary Judgment. 11/13/2020 deadline for Defendants' Omnibus Reply Brief.</b>  <b>granting (149) Motion for Extension of Time to File Response/Reply in case 4:17-cv-05928-YGR; granting (131) Motion for Extension of Time to File Response/Reply in case 4:17-cv-05929-YGR; granting (105) Motion for Extension of Time to File Response/Reply in case 4:17-cv-05930-YGR; granting (129) Motion for Extension of Time to File Response/Reply in case 4:17-cv-05931-YGR; granting (111) Motion for Extension of Time to File Response/Reply in case 4:17-cv-05932-YGR; granting (195) Motion for Extension of Time to File Response/Reply in case 4:17-cv-05933-YGR; granting (131) Motion for Extension of Time to File Response/Reply in case 4:17-cv-05934-YGR; granting (128) Motion for Extension of Time to File Response/Reply in case 4:17-cv-05936-YGR. Responses due by 10/30/2020. Replies due by 11/13/2020. Close of Discovery due by 11/6/2020. (fs, COURT STAFF) (Filed on 10/28/2020) (Entered: 10/28/2020)</b>
11/10/2020	<a href="#">151</a>	MOTION to Strike <i>Rebuttal Declaration of Dr. Madisetti</i> filed by Cellspin Soft, Inc.. Responses due by 11/24/2020. Replies due by 12/1/2020. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Exhibit 1 - Fuller Declaration, # <a href="#">3</a> Exhibit A - Plaintiffs 4-2 Disclosures, # <a href="#">4</a> Exhibit B - Defendants 4-2 Disclosures, # <a href="#">5</a> Exhibit C - Counsel email, # <a href="#">6</a> Exhibit D -

		Counsel email, # <a href="#">7</a> Exhibit E - Foley Declaration, # <a href="#">8</a> Exhibit F - Defendants RFP Responses)(Garteiser, Randall) (Filed on 11/10/2020) (Entered: 11/10/2020)
11/24/2020	<a href="#">152</a>	NOTICE of Joinder to Defendants' Opposition to Motion to Strike Rebuttal Declaration of Dr. Madisetti by Fitbit, Inc. (Brun, David) (Filed on 11/24/2020) Modified on 11/25/2020 (jjbS, COURT STAFF). (Entered: 11/24/2020)
11/30/2020	<a href="#">153</a>	CLAIM CONSTRUCTION STATEMENT filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration of Randall Garteiser, # <a href="#">2</a> Exhibit 1 - US Patent No. 8,738,794, # <a href="#">3</a> Exhibit 2 - US Patent No. 8,892,752, # <a href="#">4</a> Exhibit 3 - US Patent No. 9,749,847, # <a href="#">5</a> Exhibit 4 - U.S. Patent application 11-901,802, # <a href="#">6</a> Exhibit 5 - Modified Patent Tree for the Patents-in-Suit, # <a href="#">7</a> Exhibit 6 - US Patent No. 8,392,591, # <a href="#">8</a> Exhibit 7 - Bluetooth Standard 2.1+EDR, # <a href="#">9</a> Exhibit 8 - TechCrunch article, # <a href="#">10</a> Exhibit 9 - Fitbit Press Release, # <a href="#">11</a> Exhibit 10 - Forbes article, # <a href="#">12</a> Exhibit 11 - Silicon India cover article, # <a href="#">13</a> Exhibit 12 - Foley Declaration, # <a href="#">14</a> Exhibit 13 - IEEE paper, # <a href="#">15</a> Exhibit 14 - Singh CV, # <a href="#">16</a> Exhibit 15 - Cellspin's 3-1 and 3-2 Disclosures)(Garteiser, Randall) (Filed on 11/30/2020) (Entered: 11/30/2020)
12/01/2020	<a href="#">154</a>	REPLY (re <a href="#">151</a> MOTION to Strike <i>Rebuttal Declaration of Dr. Madisetti</i> ) filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Exhibit A - Madisetti Declaration, # <a href="#">2</a> Exhibit B - Email String re Extension)(Garteiser, Randall) (Filed on 12/1/2020) (Entered: 12/01/2020)
12/09/2020	<a href="#">155</a>	NOTICE of Joinder to Defendants <i>Garmin International, Inc. and Garmin USA, Inc.'s Motion For Leave to Amend Their Invalidity Contentions</i> by Fitbit, Inc. (Brun, David) (Filed on 12/9/2020) Modified on 12/10/2020 (jjbS, COURT STAFF). (Entered: 12/09/2020)
12/10/2020	<a href="#">156</a>	<b>ORDER REGARDING DEFENDANTS MOTION FOR SUMMARY JUDGMENT. Chart and Statement filed by 12/22/2020. The hearing scheduled for December 15, 2020 regarding defendants motion for summary judgment, plaintiffs motion to strike, and defendant Garmins motion to amend invalidity contentions is VACATED. The Court will reset the hearing date at a later date. Signed by Judge Yvonne Gonzalez Rogers on 12/10/2020. (fs, COURT STAFF) (Filed on 12/10/2020) (Entered: 12/10/2020)</b>
12/22/2020	157	CLERK'S NOTICE RE-SETTING DATES FOR TUTORIAL AND CLAIMS CONSTRUCTION HEARING IN RELATED CASES.  Tutorial Hearing set for 1/22/2021 is CONTINUED TO 1/29/2021 09:30 AM via Zoom Webinar Videoconference.  Claims Construction Hearing set for 1/29/2021 is CONTINUED to 2/5/2021 09:30 AM via Zoom Webinar Videoconference.  <i>(This is a text-only. (This is a text-only entry generated by the court. There is no document associated with this entry.) (fs, COURT STAFF) (Filed on 12/22/2020) (Entered: 12/22/2020)</i>
12/22/2020	<a href="#">158</a>	NOTICE of Joinder To Defendants' Responsive Claim Construction Brief Pursuant To



		<i>Patent L.R. 4-5</i> by Fitbit, Inc. (Brun, David) (Filed on 12/22/2020) Modified on 12/23/2020 (jjbS, COURT STAFF). (Entered: 12/22/2020)
12/22/2020		Set/Reset Hearing dates re 157 Clerk's Notice (fs, COURT STAFF) (Filed on 12/22/2020) (Entered: 12/31/2020)
01/04/2021	<a href="#">159</a>	MOTION for a One-Day Extension to File Claim Construction Reply Brief filed by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Proposed Order)(Garteiser, Randall) (Filed on 1/4/2021) Modified on 1/5/2021 (jjbS, COURT STAFF). (Entered: 01/04/2021)
01/06/2021	<a href="#">160</a>	CLAIM CONSTRUCTION STATEMENT <i>Reply Claim Construction Brief</i> filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration of M Scott Fuller, # <a href="#">2</a> Exhibit 16 - Prosecution history of US Patent 8762560, # <a href="#">3</a> Exhibit 17 - US Patent No 8762560, # <a href="#">4</a> Exhibit 18 - '794 prosecution history excerpts, # <a href="#">5</a> Exhibit 19 - '752 prosecution history excerpts, # <a href="#">6</a> Exhibit 20 - '847 prosecution history excerpts, # <a href="#">7</a> Exhibit 21 - Bluetooth 2.1 Excerpts, # <a href="#">8</a> Exhibit 22 - Bluetooth 4.0 Excerpts)(Garteiser, Randall) (Filed on 1/6/2021) (Entered: 01/06/2021)
01/06/2021	<a href="#">161</a>	<b>ORDER by Judge Yvonne Gonzalez Rogers granting (159) Motion for Extension of Time for a One-Day Extension of Time to File Claim Construction Reply Brief in case 4:17-cv-05928-YGR. (fs, COURT STAFF) (Filed on 1/6/2021) (Entered: 01/06/2021)</b>
01/14/2021	<a href="#">162</a>	Amended Joint Claim Construction Statement - Reflects Parties' present positions pursuant to the Court's Standing Order on Patent Cases (Apr. 2019) filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Exhibit A - Amended Joint Claim Construction Statement)(Garteiser, Randall) (Filed on 1/14/2021) Modified on 1/15/2021 (jjbS, COURT STAFF). (Entered: 01/14/2021)
01/14/2021	<a href="#">163</a>	<b>ORDER SCHEDULING ORDER REGARDING CLAIM CONSTRUCTION AND MOTION FOR SUMMARY JUDGEMENT</b>  <b>re (153 in 4:17-cv-05928-YGR) Claim Construction Statement,, filed by Cellspin Soft, Inc., (151 in 4:17-cv-05928-YGR) MOTION to Strike <i>Rebuttal Declaration of Dr. Madisetti</i> filed by Cellspin Soft, Inc., Set/Reset Deadlines as to (153 in 4:17-cv-05928-YGR) Claim Construction Statement,, (151 in 4:17-cv-05928-YGR) MOTION to Strike <i>Rebuttal Declaration of Dr. Madisetti</i>, (193 in 4:17-cv-05933-YGR) MOTION for Summary Judgment <i>Regarding Subject Matter Ineligibility</i> .</b>  <b>Motion for Summary Judgment Hearing set for 2/16/2021 01:00 PM via Zoom Webinar Videoconference before Judge Yvonne Gonzalez Rogers.The technology tutorial and claim construction hearing set for January 29, 2021 and February 5, 2021, are VACATED pending resolution of the summary judgment motion and will be reset if appropriate. Signed by Judge Yvonne Gonzalez Rogers on 1/14/2021. (fs, COURT STAFF) (Filed on 1/14/2021) (Entered: 01/14/2021)</b>
01/15/2021	<a href="#">164</a>	EXHIBITS re <a href="#">162</a> Claim Construction Statement, [ <i>Patents-in-Suit</i> ] filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Exhibit Exhibit 1 - US Patent No. 8,738,794 (1 of 3 Patents-in-Suit), # <a href="#">2</a> Exhibit Exhibit 2 - US Patent No. 8,892,752 (2 of 3 Patents-in-Suit), # <a href="#">3</a> Exhibit Exhibit 3 - US Patent No. 9,749,847 (3 of 3 Patents-in-Suit).)

		(Related document(s) <a href="#">162</a> ) (Garteiser, Randall) (Filed on 1/15/2021) (Entered: 01/15/2021)
02/03/2021	<a href="#">165</a>	Defendant Fitbit, Inc.'s Amended Local Civil Rule 3-15 Certification Of Interested Parties and Amended Corporate Disclosure Statement by Fitbit, Inc. identifying Other Affiliate XXVI Holdings Inc., Holding Company of Google LLC, Other Affiliate Google LLC, Other Affiliate Alphabet Inc., Holding Company of XXVI Holdings Inc. for Fitbit, Inc. (Brun, David) (Filed on 2/3/2021) Modified on 2/4/2021 (cjlS, COURT STAFF). (Entered: 02/03/2021)
02/12/2021	166	<p>CLERK'S NOTICE To Counsel of Record: Parties are reminded that if they intend to use Powerpoint presentations for the hearing on Tuesday, February 16, 2021 they must provide opposing counsel with the same at least 24 hours in advance and send a courtesy copy to the Court at YGRChambers@cand.uscourts.gov.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 2/12/2021) (Entered: 02/12/2021)</p>
02/12/2021	167	<p>CLERKS NOTICE SETTING ZOOM HEARING FOR THE SUMMARY JUDGMENT Motion Hearing set for 2/16/2021 01:00 PM VIA ZOOM WEBINAR Videoconference before Judge Yvonne Gonzalez Rogers.</p> <p>This proceeding will be held via a Zoom webinar.</p> <p><b>Webinar Access:</b> All counsel, members of the public, and media may access the webinar information at <a href="https://www.cand.uscourts.gov/ygr">https://www.cand.uscourts.gov/ygr</a></p> <p>Please click the link below to join webinar (public hearings). If you are a case participant, you will join as an attendee, then you will be brought into the proceeding by court staff.</p> <p><a href="https://cand-uscourts.zoomgov.com/j/1618764848?pwd=bW03Y2NvV0YrK2FQSkxoMXRxOWprQT09">https://cand-uscourts.zoomgov.com/j/1618764848?pwd=bW03Y2NvV0YrK2FQSkxoMXRxOWprQT09</a></p> <p>Webinar ID: 161 876 4848 Password: 715550</p> <p>Local telephone dial-in:US: +1 (669) 254-5252 or +1 (646) 828-7666</p> <p><b>General Order 58.</b> Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p>

		<p><b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>.</p> <p>Summary Judgment Motion Hearing set for 2/16/2021 01:00 PM via Zoom Webinar Videoconference before Judge Yvonne Gonzalez Rogers.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 2/12/2021) (Entered: 02/12/2021)</p>
02/15/2021	<a href="#">168</a>	NOTICE of Appearance by John M. Desmarais <i>On Behalf of Fitbit, Inc.</i> (Desmarais, John) (Filed on 2/15/2021) (Entered: 02/15/2021)
02/15/2021	<a href="#">169</a>	NOTICE of Appearance by Amet A. Modi <i>On Behalf of Fitbit, Inc.</i> (Modi, Amet) (Filed on 2/15/2021) (Entered: 02/15/2021)
02/15/2021	<a href="#">170</a>	MOTION for leave to appear in Pro Hac Vice for Karim Z. Oussayef ( Filing fee \$ 317, receipt number 0971-15576076.) filed by Fitbit, Inc.. (Oussayef, Karim) (Filed on 2/15/2021) Modified on 2/16/2021 (bnsS, COURT STAFF). (Entered: 02/15/2021)
02/15/2021	<a href="#">171</a>	MOTION for leave to appear in Pro Hac Vice for Jamie L. Kringstein ( Filing fee \$ 317, receipt number 0971-15576083.) filed by Fitbit, Inc.. (Kringstein, Jamie) (Filed on 2/15/2021) Modified on 2/16/2021 (bnsS, COURT STAFF). (Entered: 02/15/2021)
02/16/2021	<a href="#">174</a>	<b>Minute Entry for proceedings held before Judge Yvonne Gonzalez Rogers: Motion for Summary Judgment [Dkt. 193 in case 17-cv-5933} Hearing in related cases held on 2/16/2021. Claims Construction Hearing in related cases is set for Friday 3/5/2021 10:30 AM via Zoom Webinar Videoconference.Total Time in Court: 14 minutes. Court Reporter: Pam Hebel. (fs, COURT STAFF) (Date Filed: 2/16/2021) (Entered: 02/17/2021)</b>
02/17/2021	<a href="#">172</a>	<b>ORDER by Judge Yvonne Gonzalez Rogers granting <a href="#">170</a> Motion for Pro Hac Vice as to Karim Oussayef. (fs, COURT STAFF) (Filed on 2/17/2021) (Entered: 02/17/2021)</b>
02/17/2021	<a href="#">173</a>	<b>ORDER by Judge Yvonne Gonzalez Rogers granting <a href="#">171</a> Motion for Pro Hac Vice as to Jamie L. Kringstein. (fs, COURT STAFF) (Filed on 2/17/2021) (Entered: 02/17/2021)</b>
02/17/2021	<a href="#">175</a>	<b>ORDER REGARDING DEFENDANTS MOTION FOR SUMMARY JUDGMENT. Plaintiff's Supplemental Response due by 2/24/2021. Signed by Judge Yvonne Gonzalez Rogers on 2/17/2021. (fs, COURT STAFF) (Filed on 2/17/2021) (Entered: 02/17/2021)</b>
02/23/2021	176	<p>CLERK'S NOTICE SETTING TUTORIAL FOR WEDNESDAY, MARCH 3, 2021 AT 11:00 AM. Tutorial Hearing set for 3/3/2021 11:00 AM via Zoom Webinar Videoconference.</p> <p>Zoom link information will be posted on the docket in advance of the hearing. Zoom link information is also on the Judge's page on the court website</p>



		<p><a href="http://www.cand.uscourts.gov/judges/gonzalez-rogers-yvonne-ygr/">www.cand.uscourts.gov/judges/gonzalez-rogers-yvonne-ygr/</a></p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 2/23/2021) (Entered: 02/23/2021)</p>
02/26/2021	<a href="#">177</a>	<p>Transcript of Proceedings held on 02.16/2021, before Judge Gonzalez Rogers. Court Reporter Pamela Batalo Hebel, telephone number 626-688-7509; pamelabatalohebel@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re (221 in 4:17-cv-05933-YGR) Transcript Order ) Redaction Request due 3/19/2021. Redacted Transcript Deadline set for 3/29/2021. Release of Transcript Restriction set for 5/27/2021. (Batalo, Pam) (Filed on 2/26/2021) (Entered: 02/26/2021)</p>
03/01/2021	<a href="#">178</a>	<p>NOTICE OF COMPLIANCE REGARDING LODGING OF § TECHNOLOGY TUTORIAL re 176 Clerk's Notice by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Exhibit A: Plaintiff's Technology Tutorial)(Garteiser, Randall) (Filed on 3/1/2021) Modified on 3/1/2021 (cjlS, COURT STAFF). (Entered: 03/01/2021)</p>
03/01/2021	179	<p>CLERK'S NOTICE VACATING THE WEDNESDAY, MARCH 3, 2021 AT 11:00AM TUTORIAL IN RELATED CASES.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 3/1/2021) (Entered: 03/01/2021)</p>
03/04/2021	180	<p>CLERKS NOTICE SETTING ZOOM HEARING FOR THE Claims Construction Hearing in related cases set for Friday, 3/5/2021 10:30 AM. This proceeding will be held via a Zoom webinar videoconference.</p> <p><b>Webinar Access:</b> All counsel, members of the public, and media may access the webinar information at <a href="https://www.cand.uscourts.gov/ygr">https://www.cand.uscourts.gov/ygr</a></p> <p>Please click the link below to join webinar (public hearings). If you are a case participant, you will join as an attendee, then you will be brought into the proceeding by court staff.</p> <p><a href="https://cand-uscourts.zoomgov.com/j/1618764848?pwd=bW03Y2NvV0YrK2FQSkxoMXRxOWprQT09">https://cand-uscourts.zoomgov.com/j/1618764848?pwd=bW03Y2NvV0YrK2FQSkxoMXRxOWprQT09</a></p> <p>Webinar ID: 161 876 4848 Password: 715550</p>

		<p>Local telephone dial-in:US: +1 (669) 254-5252 or +1 (646) 828-7666</p> <p><b>General Order 58.</b> Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p><b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>.</p> <p>Claims Construction Hearing in related cases set for Friday, 3/5/2021 10:30 AM via Zoom Webinar Videoconference. (This is a text-only entry generated by the court. There is no document associated with this entry.) (fs, COURT STAFF) (Filed on 3/4/2021) (Entered: 03/04/2021)</p>
03/05/2021	<a href="#">181</a>	<p><b>Minute Entry for proceedings held before Judge Yvonne Gonzalez Rogers: Claims Construction / Markman Hearing held in related cases on 3/5/2021. Six page brief due by 3/10/2021. Joint filing as to schedule for these related cases due by 3/12/2021. Compliance deadline set for Friday, 3/19/2021 09:01AM. Time for each individual case in Court: 22 minutes. Court Reporter: Pam Hebel. (fs, COURT STAFF) (Date Filed: 3/5/2021) (Entered: 03/09/2021)</b></p>
03/10/2021	<a href="#">182</a>	<p>Cellspin Supplemental Claim Construction Brief filed by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Exhibit A - Annotated Asserted Claims)(Fuller, Michael) (Filed on 3/10/2021) Modified on 3/11/2021 (cjlS, COURT STAFF). (Entered: 03/10/2021)</p>
03/10/2021	<a href="#">183</a>	<p>Transcript of Proceedings held on 03/05/2021, before Judge Gonzalez Rogers. Court Reporter Pamela Batalo Hebel, telephone number 626-688-7509; pamelabatalohebel@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re (226 in 4:17-cv-05933-YGR) Transcript Order ) Redaction Request due 3/31/2021. Redacted Transcript Deadline set for 4/12/2021. Release of Transcript Restriction set for 6/8/2021. (Batalo, Pam) (Filed on 3/10/2021) (Entered: 03/10/2021)</p>
03/12/2021	<a href="#">184</a>	<p>JOINT PROPOSED OMNIBUS SCHEDULING ORDER, Submitted in Accordance with Court Instructions during March 5 Hearing by Cellspin Soft, Inc., Fitbit, Inc. (Attachments: # <a href="#">1</a> Joint Proposed Omnibus Scheduling Order)(Garteiser, Randall) (Filed on 3/12/2021) Modified on 3/15/2021 (cjlS, COURT STAFF). (Entered: 03/12/2021)</p>
03/18/2021	185	<p>CLERK'S NOTICE VACATING THE FRIDAY, MARCH 19, 2021 AT 9:01 AM COMPLIANCE DEADLINE.</p>

		<i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 3/18/2021) (Entered: 03/18/2021)
04/14/2021	<a href="#">186</a>	<b>CLAIM CONSTRUCTION ORDER. Signed by Judge Yvonne Gonzalez Rogers on 4/14/2021.</b> (fs, COURT STAFF) (Filed on 4/14/2021) (Entered: 04/14/2021)
04/14/2021	<a href="#">187</a>	<b>SUMMARY JUDGMENT ORDER. Signed by Judge Yvonne Gonzalez Rogers on 4/14/2021.</b> (fs, COURT STAFF) (Filed on 4/14/2021) (Entered: 04/14/2021)
05/05/2021	<a href="#">188</a>	STIPULATION TO ENLARGE TIME PURSUANT LOCAL RULE 6-1(a) re <a href="#">184</a> Joint Proposed Omnibus Scheduling Order, filed by Cellspin Soft, Inc., Fitbit, Inc. (Garteiser, Randall) (Filed on 5/5/2021) Modified on 5/6/2021 (amd3S, COURT STAFF). Modified on 5/6/2021 (amd3S, COURT STAFF). Modified on 5/6/2021 (amd3S, COURT STAFF). (Entered: 05/05/2021)
05/07/2021	<a href="#">189</a>	<b>STIPULATION AND ORDER ENLARGING TIME from 5/5/2021 to 6/2/2021 for case narrowing order re (153 in 4:17-cv-05936-YGR) Stipulation, filed by Nikon Americas, Inc., Cellspin Soft, Inc., Nikon Inc. Signed by Judge Yvonne Gonzalez Rogers on 5/7/2021.</b> (fs, COURT STAFF) (Filed on 5/7/2021) (Entered: 05/07/2021)
06/04/2021	<a href="#">190</a>	***DISREGARD, FILED IN ERROR*** NOTICE by Cellspin Soft, Inc. <i>of service of 30(b)(1) and 30(b)(6) Notices to Defendant</i> (Garteiser, Randall) (Filed on 6/4/2021) Modified on 6/4/2021 (cjlS, COURT STAFF). (Entered: 06/04/2021)
06/04/2021	<a href="#">191</a>	NOTICE by Cellspin Soft, Inc. <i>of service of 30(b)(1) and 30(b)(6) Notices to Defendant</i> (Garteiser, Randall) (Filed on 6/4/2021) (Entered: 06/04/2021)
06/07/2021	<a href="#">192</a>	NOTICE of Appearance by Peter Joseph Corcoran, III (Corcoran, Peter) (Filed on 6/7/2021) (Entered: 06/07/2021)
06/29/2021	<a href="#">193</a>	MOTION to Amend/Correct <i>Invalidity Contentions</i> filed by Fitbit, Inc.. Motion Hearing set for 8/3/2021 02:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. Responses due by 7/13/2021. Replies due by 7/20/2021. (Attachments: # <a href="#">1</a> Declaration of Karim Z. Oussayef, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Exhibit 3, # <a href="#">5</a> Exhibit 4, # <a href="#">6</a> Exhibit 5, # <a href="#">7</a> Exhibit 6, # <a href="#">8</a> Exhibit 7, # <a href="#">9</a> Exhibit 8, # <a href="#">10</a> Exhibit 9, # <a href="#">11</a> Exhibit 10, # <a href="#">12</a> Exhibit 11, # <a href="#">13</a> Exhibit 12, # <a href="#">14</a> Exhibit 13, # <a href="#">15</a> Exhibit 14, # <a href="#">16</a> Exhibit 15, # <a href="#">17</a> Exhibit 16, # <a href="#">18</a> Exhibit 17, # <a href="#">19</a> Exhibit 18, # <a href="#">20</a> Proposed Order)(Oussayef, Karim) (Filed on 6/29/2021) (Entered: 06/29/2021)
07/06/2021	<a href="#">194</a>	OPPOSED MOTION TO ENLARGE TIME FOR FACTUAL DISCOVERY, CIVIL L.R. 6-3 filed by Cellspin Soft, Inc. (Garteiser, Randall) (Filed on 7/6/2021) Modified on 7/7/2021 (cjlS, COURT STAFF). (Entered: 07/06/2021)
07/07/2021	<a href="#">195</a>	ADDITIONAL DOCUMENTS IN SUPPORT OF MOTION TO ENLARGE TIME re <a href="#">194</a> OPPOSED MOTION TO ENLARGE TIME FOR FACTUAL DISCOVERY, CIVIL L.R. 6-3 filed by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Declaration of Randall T. Garteiser, # <a href="#">2</a> Exhibit A - Comparison of Proposed Scheduling Orders, # <a href="#">3</a> Proposed Order to <a href="#">194</a> Motion to Enlarge Time)(Related document(s) <a href="#">194</a> ) (Garteiser, Randall) (Filed on 7/7/2021) Modified on 7/7/2021 (cjlS, COURT STAFF). (Entered: 07/07/2021)

		07/07/2021)
07/07/2021	<a href="#">196</a>	NOTICE OF SUBMITTED MATTERS AND NOTICE OF WITHDRAWAL OF PLAINTIFFS SUPPORT FOR PROPOSED SCHEDULING ORDER re <a href="#">184</a> Notice (Other), by Cellspin Soft, Inc. (Garteiser, Randall) (Filed on 7/7/2021) Modified on 7/7/2021 (cjlS, COURT STAFF). (Entered: 07/07/2021)
07/09/2021	<a href="#">197</a>	<b>ORDER REFERRING CASE to Magistrate Judge for Discovery purposes, AND ORDER REFERRING MOTION: (137 in 4:17-cv-05932-YGR) Joint Discovery Letter Brief filed by Under Armour, Inc., Cellspin Soft, Inc., (157 in 4:17-cv-05931-YGR) MOTION for Leave to File Supplementary P.R. 3-1 Contentions on Nike filed by Cellspin Soft, Inc.; (133 in 4:17-cv-5934-YGR )Motion to amend invalidity contentions. Signed by Judge Yvonne Gonzalez Rogers on 7/9/2021. (fs, COURT STAFF) (Filed on 7/9/2021) (Entered: 07/09/2021)</b>
07/09/2021		CASE REFERRED to Magistrate Judge Kandis A. Westmore for Discovery (ahm, COURT STAFF) (Filed on 7/9/2021) (Entered: 07/12/2021)
07/12/2021	<a href="#">198</a>	OPPOSITION/RESPONSE (re <a href="#">194</a> OPPOSED MOTION TO ENLARGE TIME FOR FACTUAL DISCOVERY, CIVIL L.R. 6-3 ) filed byFitbit, Inc.. (Attachments: # <a href="#">1</a> Declaration of Colette R. Mayer w. Exhibits 1-5, # <a href="#">2</a> Declaration of Karim Z. Oussayef, # <a href="#">3</a> Exhibit 1, # <a href="#">4</a> Exhibit 2, # <a href="#">5</a> Exhibit 3, # <a href="#">6</a> Exhibit 4, # <a href="#">7</a> Exhibit 5, # <a href="#">8</a> Exhibit 6)(Oussayef, Karim) (Filed on 7/12/2021) (Entered: 07/12/2021)
07/13/2021	<a href="#">199</a>	OPPOSITION/RESPONSE (re <a href="#">193</a> MOTION to Amend/Correct <i>Invalidity Contentions</i> ) filed byCellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration Fuller Declaration, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B, # <a href="#">4</a> Exhibit C, # <a href="#">5</a> Exhibit D, # <a href="#">6</a> Exhibit E) (Garteiser, Randall) (Filed on 7/13/2021) (Entered: 07/13/2021)
07/13/2021	<a href="#">200</a>	MOTION for Protective Order filed by Fitbit, Inc.. Motion Hearing set for 8/17/2021 02:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. Responses due by 7/27/2021. Replies due by 8/3/2021. (Attachments: # <a href="#">1</a> Declaration of Karim Z. Oussayef, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Exhibit 3, # <a href="#">5</a> Exhibit 4, # <a href="#">6</a> Exhibit 5, # <a href="#">7</a> Proposed Order)(Oussayef, Karim) (Filed on 7/13/2021) (Entered: 07/13/2021)
07/19/2021	<a href="#">201</a>	MOTION for leave to appear in Pro Hac Vice <i>for Alan S. Kellman</i> (Filing fee \$ 317.) Filing fee previously paid on 07/19/2021 filed by Fitbit, Inc.. (Kellman, Alan) (Filed on 7/19/2021) (Entered: 07/19/2021)
07/20/2021	<a href="#">202</a>	REPLY (re <a href="#">194</a> OPPOSED MOTION TO ENLARGE TIME FOR FACTUAL DISCOVERY, CIVIL L.R. 6-3 ) filed byCellspin Soft, Inc.. (Garteiser, Randall) (Filed on 7/20/2021) (Entered: 07/20/2021)
07/20/2021	<a href="#">203</a>	CORRECTED REPLY (re <a href="#">194</a> OPPOSED MOTION TO ENLARGE TIME FOR FACTUAL DISCOVERY, CIVIL L.R. 6-3) filed by Cellspin Soft, Inc. (Garteiser, Randall) (Filed on 7/20/2021) Modified on 7/20/2021 (cjlS, COURT STAFF). (Entered: 07/20/2021)
07/20/2021	<a href="#">204</a>	REPLY (re <a href="#">193</a> MOTION to Amend/Correct <i>Invalidity Contentions</i> ) filed byFitbit, Inc.. (Attachments: # <a href="#">1</a> Declaration of Shane Brun)(Oussayef, Karim) (Filed on

		7/20/2021) (Entered: 07/20/2021)
07/22/2021	<a href="#">205</a>	MOTION to Quash <i>Subpoena of Non-Party Vincent Laviano</i> filed by Cellspin Soft, Inc.. Motion Hearing set for 9/16/2021 01:30 PM before Magistrate Judge Kandis A. Westmore. Responses due by 8/5/2021. Replies due by 8/12/2021. (Attachments: # <a href="#">1</a> Declaration of Randall T. Garteiser, # <a href="#">2</a> Declaration of Vincent Laviano, # <a href="#">3</a> Exhibit A - Initial Disclosures, # <a href="#">4</a> Exhibit B - Subpoena to Marcos Klein, # <a href="#">5</a> Exhibit C - Subpoena to Vincent Laviano, # <a href="#">6</a> Exhibit D - 4 Production Cover Letters, # <a href="#">7</a> Proposed Order)(Garteiser, Randall) (Filed on 7/22/2021) (Entered: 07/22/2021)
07/22/2021	<a href="#">206</a>	MOTION to Quash <i>Subpoena of Non-Party Marcos Klein</i> filed by Cellspin Soft, Inc.. Motion Hearing set for 9/16/2021 01:30 PM before Magistrate Judge Kandis A. Westmore. Responses due by 8/5/2021. Replies due by 8/12/2021. (Attachments: # <a href="#">1</a> Declaration of Randall Garteiser, # <a href="#">2</a> Declaration of Marcos Klein, # <a href="#">3</a> Exhibit A - Initial Disclosures, # <a href="#">4</a> Exhibit B - Subpoena to Marcos Klein, # <a href="#">5</a> Exhibit C - Subpoena to Vincent Laviano, # <a href="#">6</a> Exhibit D - 4 Production Cover Letters, # <a href="#">7</a> Proposed Order)(Garteiser, Randall) (Filed on 7/22/2021) (Entered: 07/22/2021)
07/26/2021	<a href="#">207</a>	<b>ORDER re <a href="#">193</a> Hearing on Defendants' MOTION to Amend Invalidity Contentions. Signed by Judge Kandis A. Westmore on 7/26/2021. (kawlc2S, COURT STAFF) (Filed on 7/26/2021) (Entered: 07/26/2021)</b>
07/27/2021	<a href="#">208</a>	<b>ORDER REFERRING MOTION to Magistrate Judge Westmore: re <a href="#">200</a> MOTION for Protective Order filed by Fitbit, Inc.. Signed by Judge Yvonne Gonzalez Rogers on 7/27/2021. (fs, COURT STAFF) (Filed on 7/27/2021) (Entered: 07/27/2021)</b>
07/27/2021	<a href="#">209</a>	<b>ORDER by Judge Yvonne Gonzalez Rogers granting <a href="#">201</a> Motion for Pro Hac Vice as to Alan S. Kellman. (fs, COURT STAFF) (Filed on 7/27/2021) (Entered: 07/27/2021)</b>
07/28/2021	<a href="#">210</a>	UNOPPOSED MOTION FOR A ONE-DAY EXTENSION TO FILE OPPOSITION TO <a href="#">200</a> FITBITS MOTION FOR PROTECTIVE ORDER filed by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Proposed Order)(Garteiser, Randall) (Filed on 7/28/2021) Modified on 7/29/2021 (cjlS, COURT STAFF). (Entered: 07/28/2021)
07/29/2021	<a href="#">211</a>	OPPOSITION/RESPONSE (re <a href="#">200</a> MOTION for Protective Order ) filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration of Randall T. Garteiser, # <a href="#">2</a> Declaration of Ryan Garlick, # <a href="#">3</a> Exhibit A - <a href="#">54</a> Current Protective Order, # <a href="#">4</a> Exhibit B - July 22, 2021 letter from Mr. Oussayef listing redactions)(Garteiser, Randall) (Filed on 7/29/2021) (Entered: 07/29/2021)
07/29/2021	<a href="#">212</a>	MOTION for leave to appear in Pro Hac Vice for Jonathan V. Lewis (Filing fee \$317, receipt number 0971-16228995) filed by Fitbit, Inc. (Lewis, Jonathan) (Filed on 7/29/2021) Modified on 7/29/2021 (cjlS, COURT STAFF). (Entered: 07/29/2021)
07/29/2021	<a href="#">213</a>	[PROPOSED] ORDER DENYING <a href="#">200</a> MOTION FOR PROTECTIVE ORDER by Cellspin Soft, Inc. (Garteiser, Randall) (Filed on 7/29/2021) Modified on 7/29/2021 (cjlS, COURT STAFF). (Entered: 07/29/2021)
07/30/2021	<a href="#">214</a>	<b>ORDER TERMINATING <a href="#">200</a> MOTION FOR A PROTECTIVE ORDER;</b>



		<b>DENYING <a href="#">210</a> MOTION FOR EXTENSION OF TIME. Signed by Magistrate Judge Kandis A. Westmore on 7/30/2021. (ig, COURT STAFF) (Filed on 7/30/2021) (Entered: 07/30/2021)</b>
08/05/2021	<a href="#">215</a>	Notice of Withdrawal of Motion to <i>Quash Subpoena of Non-party Marcos Klein</i> <a href="#">206</a> (Garteiser, Randall) (Filed on 8/5/2021) (Entered: 08/05/2021)
08/05/2021	<a href="#">216</a>	Administrative Motion to File Under Seal <i>Certain Documents Associated with Defendants Opposition to Non-Party Vincent Lavianos Motion to Quash</i> filed by Fitbit, Inc.. (Attachments: # <a href="#">1</a> Declaration of Karim Z. Oussayef, # <a href="#">2</a> Proposed Order, # <a href="#">3</a> Redacted Version of Exhibit 2, # <a href="#">4</a> Unredacted Version of Exhibit 2, # <a href="#">5</a> Redacted Version of Exhibit 3, # <a href="#">6</a> Unredacted Version of Exhibit 3)(Oussayef, Karim) (Filed on 8/5/2021) (Entered: 08/05/2021)
08/05/2021	<a href="#">217</a>	OPPOSITION/RESPONSE (re <a href="#">205</a> MOTION to Quash <i>Subpoena of Non-Party Vincent Laviano</i> ) filed by Fitbit, Inc.. (Attachments: # <a href="#">1</a> Declaration of Karim Z. Oussayef, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2 (REDACTED), # <a href="#">4</a> Exhibit 3 (REDACTED), # <a href="#">5</a> Exhibit 4, # <a href="#">6</a> Exhibit 5, # <a href="#">7</a> Exhibit 6, # <a href="#">8</a> Exhibit 7, # <a href="#">9</a> Exhibit 8, # <a href="#">10</a> Exhibit 9, # <a href="#">11</a> Exhibit 10, # <a href="#">12</a> Exhibit 11, # <a href="#">13</a> Exhibit 12, # <a href="#">14</a> Exhibit 13, # <a href="#">15</a> Exhibit 14, # <a href="#">16</a> Exhibit 15)(Oussayef, Karim) (Filed on 8/5/2021) (Entered: 08/05/2021)
08/05/2021	<a href="#">218</a>	CERTIFICATE OF SERVICE by Fitbit, Inc. re <a href="#">216</a> Administrative Motion to File Under Seal <i>Certain Documents Associated with Defendants Opposition to Non-Party Vincent Lavianos Motion to Quash</i> (Oussayef, Karim) (Filed on 8/5/2021) (Entered: 08/05/2021)
08/10/2021	<a href="#">219</a>	<b>ORDER by Judge Kandis A. Westmore Granting <a href="#">193</a> DEFENDANTS' MOTION TO AMEND INVALIDITY CONTENTIONS. (amgS, COURT STAFF) (Filed on 8/10/2021) (Entered: 08/10/2021)</b>
08/12/2021	<a href="#">220</a>	***PDF error, document to be filed.***  NOTICE of Service of Joint Discovery Letter Brief to Fitbit Re search by Fitbit of emails mentioning "Cellspin" in them as it relates to willful infringement prior to the lawsuit by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Exhibit A - Cellspin's Letter Served on Fitbit relating to Fitbit's refusal to provide emails that mention Cellspin in the email prior to the filing the lawsuit)(Garteiser, Randall) (Filed on 8/12/2021) Modified on 8/13/2021 (cjlS, COURT STAFF). Modified on 8/13/2021 (cjlS, COURT STAFF). (Entered: 08/12/2021)
08/12/2021	<a href="#">221</a>	Joint Discovery Letter Brief <i>re Cellspin's Production of Documents</i> filed by Fitbit, Inc. Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2)(Oussayef, Karim) (Filed on 8/12/2021) Modified on 8/13/2021 (cjlS, COURT STAFF). (Entered: 08/12/2021)
08/12/2021	<a href="#">222</a>	NOTICE of Appearance by Tuhin Ganguly <i>On Behalf of Fitbit, Inc.</i> (Ganguly, Tuhin) (Filed on 8/12/2021) (Entered: 08/12/2021)
08/12/2021	<a href="#">223</a>	Administrative Motion to File Under Seal <i>Exhibit 1 to the Joint Discovery Dispute Letter re Deposition of Mr. Gurvinder Singh</i> filed by Fitbit, Inc.. (Attachments: # <a href="#">1</a> Declaration of Karim Z. Oussayef, # <a href="#">2</a> Proposed Order, # <a href="#">3</a> Redacted Version of Exhibit 1, # <a href="#">4</a> Unredacted Version of Exhibit 1)(Oussayef, Karim) (Filed on

		8/12/2021) (Entered: 08/12/2021)
08/12/2021	<a href="#">224</a>	Joint Discovery Letter Brief <i>re Deposition of Mr. Gurvinder Singh</i> filed by Fitbit, Inc., Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2)(Oussayef, Karim) (Filed on 8/12/2021) Modified on 8/13/2021 (cjlS, COURT STAFF). (Entered: 08/12/2021)
08/12/2021	<a href="#">225</a>	CERTIFICATE OF SERVICE by Fitbit, Inc. re <a href="#">223</a> Administrative Motion to File Under Seal <i>Exhibit 1 to the Joint Discovery Dispute Letter re Deposition of Mr. Gurvinder Singh</i> (Oussayef, Karim) (Filed on 8/12/2021) (Entered: 08/12/2021)
08/13/2021	<a href="#">226</a>	Joint Discovery Letter Brief Related to Common Interrogatory No.10 (Fitbit's Total Revenue due to infringement plead under Section 217, subsection (f) in Exhibit 2 (Infringement contentions - not challenged) filed by Cellspin Soft, Inc., Fitbit, Inc. (Attachments: # <a href="#">1</a> Exhibit 1 - Cellspin's Second Set of Common Interrogatories (No.10) (Excerpts), # <a href="#">2</a> Exhibit 2 - Cellspin's P.R. 3-1 disclosures to Fitbit (Excerpts), # <a href="#">3</a> Exhibit 3 - Transcript of Fitbit's Senior Engineer relating to Fitbit App - Accused Instrumentality (Excerpts))(Garteiser, Randall) (Filed on 8/13/2021) Modified on 8/16/2021 (cjlS, COURT STAFF). (Entered: 08/13/2021)
08/14/2021	<a href="#">227</a>	NOTICE of its Service on Fitbit of its Portion of Joint Discovery Letter Brief RE: Emails not produced by Fitbit relating to Cellspin that Fitbit refuses to produce in the period of time prior to filing of lawsuit (notwithstanding Fitbit receiving 2 letters from Cellspin on June 11, 2017 and August 31, 2017 by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Exhibit A - Portion served on Fitbit by Cellspin on Joint Discovery Letter Brief RE Fitbit emails with Cellspin mentioned in them, # <a href="#">2</a> Exhibit B - June 11, 2017 Letter Cellspin served on Fitbit About its patent portfolio, # <a href="#">3</a> Exhibit C - August 31, 2017 Letter Served on Fitbit by Cellspin about Fitbit's about Cellspin's patent portfolio) (Garteiser, Randall) (Filed on 8/14/2021) Modified on 8/16/2021 (cjlS, COURT STAFF). (Entered: 08/14/2021)
08/14/2021	<a href="#">228</a>	NOTICE of its Service on Fitbit of Cellspin's portion of a THIRD joint discovery letter pursuant to Mag. Judge Westmore's standing order RE: Fitbit's promise to produce Fitbit download numbers for iOS and Android for just one app - the Fitbit App - but failure to even do that without involving the Court as Fitbit attempts to avoid its promise to produce on its unilateral belief that Factual Discovery has ended and Cellspin did not move fast enough. Fitbit has this position even though it never moved for the Court to entry an Scheduling Order and it Opposed Cellspin's pending motion for entry of a Scheduling Order that takes into account Fitbit's discovery delays in production by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Exhibit A - Cellspin's Portion of Joint Discovery Letter Brief Served on Fitbit on August 13, 2021 RE: Fitbit's failure to provide App downloads numbers for just one App - the Fitbit App., # <a href="#">2</a> Exhibit B - Discovery Request in Dispute, # <a href="#">3</a> Exhibit C - Emails between counsel where Fitbit indicates it will produce download figures for Fitbit App, # <a href="#">4</a> Exhibit D - screenshot of Google Play for Fitbit App with more than 50 million downloads indicated.)(Garteiser, Randall) (Filed on 8/14/2021) Modified on 8/16/2021 (cjlS, COURT STAFF). (Entered: 08/14/2021)
08/16/2021	<a href="#">229</a>	ADMINISTRATIVE MOTION to Request Case Management Conference filed by Fitbit, Inc.. Responses due by 8/20/2021. (Attachments: # <a href="#">1</a> Declaration of Karim Z.

		Oussayef, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Proposed Order)(Oussayef, Karim) (Filed on 8/16/2021) (Entered: 08/16/2021)
08/17/2021	<a href="#">230</a>	<b>ORDER TO SHOW CAUSE Show Cause Response due by 8/24/2021. Signed by Judge Kandis A. Westmore on 8/17/2021. (wft, COURT STAFF) (Filed on 8/17/2021) (Entered: 08/17/2021)</b>
08/17/2021	<a href="#">231</a>	FITBIT, INC.'S RESPONSE TO CELLSPIN'S NOTICE OF SERVICE OF JOINT DISCOVERY LETTER BRIEF (D.I. <a href="#">227</a> ) by Fitbit, Inc. (Oussayef, Karim) (Filed on 8/17/2021) Modified on 8/18/2021 (cjlS, COURT STAFF). (Entered: 08/17/2021)
08/17/2021	<a href="#">232</a>	Second Discovery Letter Brief Re: Fitbit's Response to Cellspin's First Set of Common Requests for Production, under Rule 36, No.1 filed by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Exhibit 1 - Excerpts from Cellspin's First Set of Common Requests for Production, Rule 36 (No.10), # <a href="#">2</a> Exhibit 2 - June 11, 2021 Cellspin Ltr sent to Fitbit, # <a href="#">3</a> Exhibit 3 - August 31, 2021 Cellspin Ltr sent to Fitbit)(Garteiser, Randall) (Filed on 8/17/2021) Modified on 8/19/2021 (cjlS, COURT STAFF). (Entered: 08/18/2021)
08/19/2021	<a href="#">233</a>	STIPULATION re Service of Expert Reports filed by Fitbit, Inc., Cellspin Soft, Inc. (Oussayef, Karim) (Filed on 8/19/2021) Modified on 8/20/2021 (cjlS, COURT STAFF). (Entered: 08/19/2021)
08/20/2021	<a href="#">234</a>	<b>ORDER by Judge Kandis A. Westmore terminating <a href="#">226</a> <a href="#">232</a> Discovery Letters. (kawlc2S, COURT STAFF) (Filed on 8/20/2021) (Entered: 08/20/2021)</b>
08/25/2021	<a href="#">235</a>	RESPONSE TO <a href="#">230</a> ORDER TO SHOW CAUSE by Cellspin Soft, Inc. (Attachments: # <a href="#">1</a> Declaration of Garteiser In Support of Response, # <a href="#">2</a> Ex A Fitbit's Joint Letter Brief email exchanged, # <a href="#">3</a> Ex B Cellspin's Joint Letter Brief email exchanged)(Garteiser, Randall) (Filed on 8/25/2021) Modified on 8/26/2021 (cjlS, COURT STAFF). (Entered: 08/25/2021)
08/30/2021	<a href="#">236</a>	<b>ORDER by Judge Yvonne Gonzalez Rogers granting <a href="#">212</a> Motion for Pro Hac Vice as to Jonathan V. Lewis. (fs, COURT STAFF) (Filed on 8/30/2021) (Entered: 08/30/2021)</b>
08/31/2021	<a href="#">237</a>	REPLY (re <a href="#">205</a> MOTION to Quash <i>Subpoena of Non-Party Vincent Laviano</i> ) filed by Cellspin Soft, Inc.. (Garteiser, Randall) (Filed on 8/31/2021) (Entered: 08/31/2021)
09/07/2021	<a href="#">238</a>	<b>ORDER by Judge Kandis A. Westmore DENYING <a href="#">216</a> &amp; <a href="#">223</a> ADMINISTRATIVE MOTIONS TO FILE UNDER SEAL. (amgS, COURT STAFF) (Filed on 9/7/2021) (Entered: 09/07/2021)</b>
09/13/2021	<a href="#">239</a>	<b>ORDER RE DISCOVERY DISPUTES as to <a href="#">205</a> , <a href="#">221</a> and <a href="#">224</a> : Court DENIES Mr. Laviano's motion to quash. See Order for all particulars. Motions terminated: <a href="#">205</a> Motion to Quash; <a href="#">221</a> Joint Discovery Letter Brief; and <a href="#">224</a> Joint Discovery Letter Brief. Signed by Magistrate Judge Kandis A. Westmore on 9/13/2021. (ig, COURT STAFF) (Filed on 9/13/2021) (Entered: 09/13/2021)</b>
09/13/2021	<a href="#">240</a>	NOTICE of Mootness Regarding Pending Motion to Continue Fact Discovery (Dkt. 194) and Plaintiff's Service of Opening Expert Reports by Cellspin Soft, Inc. re <a href="#">194</a>



		Opposed Motion To Enlarge Time For Factual Discovery, Civil L.R. 6-3 (Garteiser, Randall) (Filed on 9/13/2021) Modified on 9/14/2021 (jlgS, COURT STAFF). (Entered: 09/13/2021)
09/17/2021	<a href="#">241</a>	JOINT STIPULATION <i>Regarding Expert Discovery</i> filed by Fitbit, Inc. (Oussayef, Karim) (Filed on 9/17/2021) Modified on 9/17/2021 (jlgS, COURT STAFF). (Entered: 09/17/2021)
09/18/2021	<a href="#">242</a>	Transcript of Proceedings held on May 26, 2020, before Judge Yvonne Gonzalez Rogers. Court Reporter Raynee H. Mercado, CSR, telephone number 510-565-7228, cacsr8258@gmail.com. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re (242 in 4:17-cv-05933-YGR) Transcript Order ) Release of Transcript Restriction set for 11/24/2021. (rhm) (Filed on 9/18/2021) (Entered: 09/18/2021)
09/21/2021	<a href="#">243</a>	EXHIBITS re <a href="#">217</a> Opposition/Response to Motion,, ( <i>Unredacted Versions of Exhibit 2 &amp; 3 in Compliance with the Court's Order (DI 238)</i> ) filed by Fitbit, Inc.. (Related document(s) <a href="#">217</a> ) (Oussayef, Karim) (Filed on 9/21/2021) (Entered: 09/21/2021)
09/21/2021	<a href="#">244</a>	EXHIBITS re <a href="#">224</a> <i>Joint Discovery Brief (Unredacted Version of Exhibit 1 in Compliance with the Court's Order (DI 238)</i> ) filed by Fitbit, Inc.. (Oussayef, Karim) (Filed on 9/21/2021) (Entered: 09/21/2021)
09/21/2021	<a href="#">245</a>	<b>ORDER SETTING COMPLIANCE DEADLINE re (229 in 4:17-cv-05928-YGR) ADMINISTRATIVE MOTION to Request Case Management Conference filed by Fitbit, Inc. Joint Status update or one-page joint Statement due by 10/8/2021. Compliance Deadline is set for 10/15/2021 09:01 AM.. Signed by Judge Yvonne Gonzalez Rogers on 9/21/2021. (fs, COURT STAFF) (Filed on 9/21/2021) (Entered: 09/21/2021)</b>
10/05/2021	<a href="#">246</a>	ADMINISTRATIVE MOTION to Reflect Name Change from Fitbit, Inc. to Fitbit LLC filed by Fitbit, Inc.. Responses due by 10/12/2021. (Attachments: # <a href="#">1</a> Declaration of Eric Speckhard, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Exhibit 3, # <a href="#">5</a> Proposed Order) (Oussayef, Karim) (Filed on 10/5/2021) (Entered: 10/05/2021)
10/05/2021	<a href="#">247</a>	STIPULATION <i>re Expert Discovery</i> filed by Fitbit, Inc.. (Oussayef, Karim) (Filed on 10/5/2021) (Entered: 10/05/2021)
10/05/2021	<a href="#">248</a>	STIPULATION WITH PROPOSED ORDER <i>re: Discovery of Electronically Stored Information (ESI)</i> filed by Fitbit, Inc.. (Oussayef, Karim) (Filed on 10/5/2021) (Entered: 10/05/2021)
10/07/2021	<a href="#">249</a>	<b>ORDER by Judge Yvonne Gonzalez Rogers RE: DISCOVERY OF ELECTRONICALLY STORED INFORMATION (ESI) FOR PATENT LITIGATION. (amgS, COURT STAFF) (Filed on 10/7/2021) (Entered: 10/07/2021)</b>
10/08/2021	<a href="#">250</a>	JOINT STATUS UPDATE <i>re Compliance Deadline</i> by Fitbit, Inc. (Oussayef, Karim)

		(Filed on 10/8/2021) Modified on 10/10/2021 (jlgS, COURT STAFF). (Entered: 10/08/2021)
10/13/2021	251	<p>CLERK'S NOTICE VACATING THE FRIDAY, OCTOBER 15, 2021 AT 9:01AM COMPLIANCE DEADLINE AND SETTING A FURTHER CASE MANAGEMENT CONFERENCE. The 10/15/21 Compliance Deadline is VACATED.</p> <p>Case Management Statement due by 10/25/2021. Further Case Management Conference set for Monday, 11/1/2021 at specially set time of 10:00 AM via Zoom Webinar Videoconference Only.</p> <p>Zoom link information will be posted on the docket in advance of the hearing. Zoom link information is also on the Judge's page on the court website <a href="http://www.cand.uscourts.gov/judges/gonzalez-rogers-yvonne-ygr/">www.cand.uscourts.gov/judges/gonzalez-rogers-yvonne-ygr/</a></p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 10/13/2021) (Entered: 10/13/2021)</p>
10/14/2021	<a href="#">252</a>	<b>ORDER by Judge Yvonne Gonzalez Rogers granting <a href="#">246</a> Administrative Motion to Reflect Name Change from Fitbit, Inc. to Fitbit LLC. (cwlc4, COURT STAFF) (Filed on 10/14/2021) (Entered: 10/14/2021)</b>
10/20/2021	<a href="#">253</a>	ADMINISTRATIVE MOTION for Relief Under Local Rule 7-11 re Disputed Deadline for Summary Judgment Motion Pre-Filing Letter Briefs filed by Fitbit LLC. Responses due by 10/25/2021. (Attachments: # <a href="#">1</a> Declaration of Karim Z. Oussayef, # <a href="#">2</a> Proposed Order)(Oussayef, Karim) (Filed on 10/20/2021) (Entered: 10/20/2021)
10/25/2021	<a href="#">254</a>	Joint Discovery Letter Brief <i>re Cellspin's Production of Documents in Response to Court Order</i> filed by Fitbit LLC. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3)(Oussayef, Karim) (Filed on 10/25/2021) (Entered: 10/25/2021)
10/25/2021	<a href="#">255</a>	OPPOSITION/RESPONSE (re <a href="#">253</a> ADMINISTRATIVE MOTION for Relief Under Local Rule 7-11 re Disputed Deadline for Summary Judgment Motion Pre-Filing Letter Briefs ) filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration of Randall T. Garteiser, # <a href="#">2</a> Exhibit A - emails from August 2021, # <a href="#">3</a> Exhibit B - emails from September 2021)(Garteiser, Randall) (Filed on 10/25/2021) (Entered: 10/26/2021)
10/26/2021	<a href="#">256</a>	JOINT CASE MANAGEMENT STATEMENT filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Exhibit A - Proposed Omnibus Scheduling Order, # <a href="#">2</a> Exhibit B - Proposed Omnibus Scheduling Order)(Garteiser, Randall) (Filed on 10/26/2021) (Entered: 10/26/2021)
10/27/2021	257	<b>Order Granting <a href="#">253</a> Administrative Motion to address the scheduling of summary judgment motion practice at the case management conference, which tentatively shall follow the protocol to which the parties previously agreed. Entered by Judge Yvonne Gonzalez Rogers. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (Entered: 10/27/2021)</b>
10/31/2021	258	CLERKS NOTICE SETTING ZOOM HEARING FOR THE Further Case Management Conference in related cases set for Monday, 11/1/2021 10:00 AM via

		<p>Zoom Webinar Videoconference Only. This proceeding will be held via a Zoom webinar.</p> <p><b>Webinar Access:</b> All counsel, members of the public, and media may access the webinar information at <a href="https://www.cand.uscourts.gov/ygr">https://www.cand.uscourts.gov/ygr</a></p> <p><b>General Order 58.</b> Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p><b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>.</p> <p>Further Case Management Conference set for Monday, 11/1/2021 10:00 AM via Zoom Webinar Videoconference Only.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 10/31/2021) (Entered: 10/31/2021)</p>
11/01/2021	<a href="#">259</a>	<p><b>Minute Entry for proceedings held before Judge Yvonne Gonzalez Rogers: Further Case Management Conference held via Zoom Webinar Videoconference on 11/1/2021. Close of Expert Discovery due by 11/23/2021. Pre-filing Conference re Summary Judgment is set for 12/16/2021 09:00 AM via zoom Webinar Videoconference before Judge Yvonne Gonzalez Rogers.Total Time in Court: 5 minutes. Court Reporter: Pam Hebel. (fs, COURT STAFF) (Date Filed: 11/1/2021) (Entered: 11/05/2021)</b></p>
11/05/2021	<a href="#">260</a>	<p><b>SCHEDULING PRETRIAL ORDER. Signed by Judge Yvonne Gonzalez Rogers on 11/5/2021. (fs, COURT STAFF) (Filed on 11/5/2021) (Entered: 11/05/2021)</b></p>
11/05/2021		<p>Set Deadlines/Hearings:, Set/Reset Deadlines as to Dispositive Motion due by 12/23/2021. Responses due by 1/20/2022. Replies due by 2/3/2022. Status Report due by 4/8/2022. Jury Selection set for 5/23/2022 08:30 AM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. Jury Trial set for 5/23/2022 08:30 AM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. Daubert/Dispositive Motion Hearing set for 2/25/2022 02:00 PM via Zoom Webinar Videoconference before Judge Yvonne Gonzalez Rogers. Pretrial Conference set for 5/6/2022 09:00 AM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. Compliance Deadline set for 4/15/2022 09:01 AM. (fs, COURT STAFF) (Filed on 11/5/2021) (Entered: 11/05/2021)</p>
11/12/2021	<a href="#">261</a>	<p>Administrative Motion to File Under Seal filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Redacted Version of Declaration, # <a href="#">3</a> Unredacted Version of Declaration, # <a href="#">4</a> Redacted Version of Exhibit 1, # <a href="#">5</a> Unredacted Version of Exhibit 1) (Fuller, Michael) (Filed on 11/12/2021) (Entered: 11/12/2021)</p>

11/12/2021	<a href="#">262</a>	MOTION to Stay re <a href="#">261</a> Administrative Motion to File Under Seal filed by Cellspin Soft, Inc.. Responses due by 11/26/2021. Replies due by 12/3/2021. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Redacted Version of Declaration, # <a href="#">3</a> Redacted Version of Ex 1) (Fuller, Michael) (Filed on 11/12/2021) (Entered: 11/12/2021)
11/15/2021	263	<p>CLERKS NOTICE SETTING ZOOM HEARING FOR THE Status Conference set for Thursday, 11/18/2021 11:00 AM VIA ZOOM WEBINAR Videoconference before Judge Yvonne Gonzalez Rogers.</p> <p>This proceeding will be held via a Zoom webinar.</p> <p><b>Webinar Access:</b> All counsel, members of the public, and media may access the webinar information at <a href="https://www.cand.uscourts.gov/ygr">https://www.cand.uscourts.gov/ygr</a></p> <p><b>General Order 58.</b> Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p><b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>.</p> <p>Status Conference set for Thursday, 11/18/2021 11:00 AM VIA ZOOM WEBINAR Videoconference Only before Judge Yvonne Gonzalez Rogers.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (fs, COURT STAFF) (Filed on 11/15/2021) (Entered: 11/15/2021)</p>
11/18/2021	<a href="#">264</a>	<b>Minute Entry for proceedings held before Judge Yvonne Gonzalez Rogers: Status Conference held via Zoom Webinar on 11/18/2021. Further Case Management Conference set for 12/16/2021 09:00 AM via Zoom Webinar Videoconference Only.Total Time in Court: 30 minutes. Court Reporter: not reported/not recorded.</b> (fs, COURT STAFF) (Date Filed: 11/18/2021) (Entered: 11/19/2021)
11/18/2021	<a href="#">265</a>	<b>SCHEDULING ORDER.</b> Signed by Judge Yvonne Gonzalez Rogers on 11/18/21. (fs, COURT STAFF) (Filed on 11/18/2021) (Entered: 11/19/2021)
12/08/2021	<a href="#">266</a>	<b>ORDER RE DISCOVERY LETTER NO 3 by Magistrate Judge Kandis A. Westmore denying <a href="#">254</a> Discovery Letter Brief.</b> (wft, COURT STAFF) (Filed on 12/8/2021) (Entered: 12/08/2021)
12/14/2021	<a href="#">267</a>	JOINT CASE MANAGEMENT STATEMENT filed by Cellspin Soft, Inc.. (Garteiser, Randall) (Filed on 12/14/2021) (Entered: 12/14/2021)
12/15/2021	268	CLERKS NOTICE SETTING ZOOM HEARING for the Status Conference in related cases set for Thursday, 12/16/2021 09:00 AM via Zoom Webinar Videoconference Only before Judge Yvonne Gonzalez Rogers.

This proceeding will be held via a Zoom webinar.

**Webinar Access:** All counsel, members of the public, and media may access the webinar information at <https://www.cand.uscourts.gov/ygr>

**General Order 58.** Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.

**Zoom Guidance and Setup:** <https://www.cand.uscourts.gov/zoom/>.

Status Conference in related cases set for Thursday, 12/16/2021 09:00 AM via Zoom Webinar Vid eoconference Only before Judge Yvonne Gonzalez Rogers.

*(This is a text-only entry generated by the court. There is no document associated with this entry.)* (fs, COURT STAFF) (Filed on 12/15/2021) (Entered: 12/15/2021)

12/16/2021

[269](#)

**Minute Entry for proceedings held before Judge Yvonne Gonzalez Rogers: Further Case Management Conference held on 12/16/2021. Close of Expert Discovery due by 1/14/2022.Total Time in Court: 7 minutes. Court Reporter: Pam Hebel.** (fs, COURT STAFF) (Date Filed: 12/16/2021) (Entered: 12/16/2021)

12/22/2021

[270](#)

**ORDER REGARDING EXPERT SUBSTITUTION. Signed by Judge Yvonne Gonzalez Rogers on 12/22/2021.** (amg, COURT STAFF) (Filed on 12/22/2021) (Entered: 12/22/2021)

01/10/2022

[271](#)

Letter Brief *Requesting Leave to File Motion for Summary Judgment* filed by Fitbit LLC. (Oussayef, Karim) (Filed on 1/10/2022) (Entered: 01/10/2022)

01/13/2022

272

CLERK'S NOTICE SETTING PRE-FILING HEARING. Notice is hereby given that a pre-filing hearing on leave to file Motions for Summary Judgment is set for 1/19/2022 at 9:00 a.m. *(This is a text-only entry generated by the court. There is no document associated with this entry.)*, This proceeding will be held via a Zoom webinar.

**Webinar Access:** All counsel, members of the public, and media may access the webinar information at <https://www.cand.uscourts.gov/ygr>

**Court Appearances:** Advanced notice is required of counsel or parties who wish to be identified by the court as making an appearance or will be participating in the argument at the hearing. A list of names and emails must be sent to the CRD at [ygrcrd@cand.uscourts.gov](mailto:ygrcrd@cand.uscourts.gov) no later than January 17, 2022 at 5:00 PST.

**General Order 58.** Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.



		<p><b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>.</p> <p>Motion Hearing set for 1/19/2022 09:00 AM in Oakland, - Videoconference Only before Judge Yvonne Gonzalez Rogers. (amg, COURT STAFF) (Filed on 1/13/2022) (Entered: 01/13/2022)</p>
01/17/2022	<a href="#">273</a>	Letter Brief re <a href="#">271</a> Letter Brief <i>RESPONSIVE LETTER BRIEF</i> filed by Cellspin Soft, Inc.. (Related document(s) <a href="#">271</a> ) (Fuller, Michael) (Filed on 1/17/2022) (Entered: 01/17/2022)
01/19/2022	<a href="#">274</a>	<b>Minute Entry for proceedings held before Judge Yvonne Gonzalez Rogers: Pre-Filing on Leave to File Motions for Summary Judgment Hearing held on 1/19/2022. Dispositive Motion due by 1/27/2022. Responses due by 2/24/2022. Replies due by 3/10/2022. Total Time in Court: 32 minutes. Court Reporter: Raynee Mercado. (amg, COURT STAFF) (Date Filed: 1/19/2022) (Entered: 01/19/2022)</b>
01/20/2022	<a href="#">275</a>	STIPULATION <i>to Set a Daubert Briefing Schedule</i> filed by Fitbit LLC. (Oussayef, Karim) (Filed on 1/20/2022) (Entered: 01/20/2022)
01/27/2022	<a href="#">276</a>	Administrative Motion to File Under Seal <i>Portions of Exhibits in Support of Fitbit's Motion for Summary Judgment</i> filed by Fitbit LLC. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Exhibit 4, # <a href="#">3</a> Exhibit 4-1, # <a href="#">4</a> Exhibit 4-2, # <a href="#">5</a> Exhibit 4-3, # <a href="#">6</a> Exhibit 4-4, # <a href="#">7</a> Exhibit 4-5, # <a href="#">8</a> Exhibit 4-6, # <a href="#">9</a> Exhibit 6, # <a href="#">10</a> Exhibit 8, # <a href="#">11</a> Exhibit 9)(Oussayef, Karim) (Filed on 1/27/2022) (Entered: 01/27/2022)
01/27/2022	<a href="#">277</a>	MOTION for Summary Judgment of <i>Non-Infringement of All Asserted Claims</i> filed by Fitbit LLC. Motion Hearing set for 4/5/2022 02:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. Responses due by 2/24/2022. Replies due by 3/10/2022. (Attachments: # <a href="#">1</a> Declaration of Karim Z. Oussayef, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit 1, # <a href="#">4</a> Exhibit 2, # <a href="#">5</a> Exhibit 3, # <a href="#">6</a> Exhibit 4 Redacted, # <a href="#">7</a> Exhibit 4-1 Redacted, # <a href="#">8</a> Exhibit 4-2 Redacted, # <a href="#">9</a> Exhibit 4-3 Redacted, # <a href="#">10</a> Exhibit 4-4 Redacted, # <a href="#">11</a> Exhibit 4-5 Redacted, # <a href="#">12</a> Exhibit 4-6 Redacted, # <a href="#">13</a> Exhibit 5, # <a href="#">14</a> Exhibit 5-1, # <a href="#">15</a> Exhibit 5-2, # <a href="#">16</a> Exhibit 5-3, # <a href="#">17</a> Exhibit 5-4, # <a href="#">18</a> Exhibit 5-5, # <a href="#">19</a> Exhibit 5-6, # <a href="#">20</a> Exhibit 6 Redacted, # <a href="#">21</a> Exhibit 7, # <a href="#">22</a> Exhibit 8 Redacted, # <a href="#">23</a> Proposed Order)(Oussayef, Karim) (Filed on 1/27/2022) (Entered: 01/27/2022)
01/27/2022	<a href="#">278</a>	Declaration of Dr. Harry Bims in Support of <a href="#">277</a> MOTION for Summary Judgment of <i>Non-Infringement of All Asserted Claims</i> filed by Fitbit LLC. (Attachments: # <a href="#">1</a> Exhibit 9 Redacted)(Related document(s) <a href="#">277</a> ) (Oussayef, Karim) (Filed on 1/27/2022) (Entered: 01/27/2022)
01/27/2022	<a href="#">279</a>	CERTIFICATE OF SERVICE by Fitbit LLC re <a href="#">276</a> Administrative Motion to File Under Seal <i>Portions of Exhibits in Support of Fitbit's Motion for Summary Judgment</i> (Oussayef, Karim) (Filed on 1/27/2022) (Entered: 01/27/2022)
02/14/2022	<a href="#">280</a>	STIPULATION <i>to Modify and Extend Time</i> filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration)(Fuller, Michael) (Filed on 2/14/2022) (Entered: 02/14/2022)

02/23/2022	<p><a href="#">281</a> Administrative Motion to File Under Seal <i>Portions of Defendants Motion to Exclude the Expert Opinions of Dr. Ramamirtham Sukumar and Mr. Justin Blok</i> filed by Fitbit LLC. (Attachments: # <a href="#">1</a> UNREDACTED Version of Memorandum in Support of Motion to Exclude the Expert Opinions of Dr. Ramamirtham Sukumar and Mr. Justin Blok, # <a href="#">2</a> REDACTED Version of Memorandum in Support of Motion to Exclude the Expert Opinions of Dr. Ramamirtham Sukumar and Mr. Justin Blok, # <a href="#">3</a> Exhibit 5 (Unredacted), # <a href="#">4</a> Exhibit 5 (Redacted), # <a href="#">5</a> Exhibit 6 (Unredacted), # <a href="#">6</a> Exhibit 6 (Redacted), # <a href="#">7</a> Exhibit 7 (Unredacted), # <a href="#">8</a> Exhibit 7 (Redacted), # <a href="#">9</a> Exhibit 8 (Unredacted), # <a href="#">10</a> Exhibit 8 (Redacted), # <a href="#">11</a> Exhibit 9 (Unredacted), # <a href="#">12</a> Exhibit 9 (Redacted), # <a href="#">13</a> Exhibit 10 (Unredacted), # <a href="#">14</a> Exhibit 10 (Redacted), # <a href="#">15</a> Exhibit 11 (Unredacted), # <a href="#">16</a> Exhibit 11 (Redacted), # <a href="#">17</a> Exhibit 12 (Unredacted), # <a href="#">18</a> Exhibit 12 (Redacted), # <a href="#">19</a> Exhibit 13 (Unredacted), # <a href="#">20</a> Exhibit 13 (Redacted), # <a href="#">21</a> Exhibit 14 (Unredacted), # <a href="#">22</a> Exhibit 14 (Redacted), # <a href="#">23</a> Exhibit 15 (Unredacted), # <a href="#">24</a> Exhibit 15 (Redacted), # <a href="#">25</a> Exhibit 16 (Unredacted), # <a href="#">26</a> Exhibit 16 (Redacted), # <a href="#">27</a> Exhibit 17 (Unredacted), # <a href="#">28</a> Exhibit 17 (Redacted), # <a href="#">29</a> Exhibit 18 (Unredacted), # <a href="#">30</a> Exhibit 18 (Redacted), # <a href="#">31</a> Exhibit 19 (Unredacted), # <a href="#">32</a> Exhibit 19 (Redacted), # <a href="#">33</a> Exhibit 20 (Unredacted), # <a href="#">34</a> Exhibit 20 (Redacted), # <a href="#">35</a> Exhibit 23 (Unredacted), # <a href="#">36</a> Proposed Order)(Oussayef, Karim) (Filed on 2/23/2022) (Entered: 02/23/2022)</p>
02/23/2022	<p><a href="#">282</a> Administrative Motion to File Under Seal /<i>Administrative Motion To Consider Whether Another Partys Materials Should Be Sealed</i> filed by Fitbit LLC. (Attachments: # <a href="#">1</a> UNREDACTED Version of Memorandum in Support of Motion to Exclude the Expert Opinions of Dr. Ramamirtham Sukumar and Mr. Justin Blok, # <a href="#">2</a> REDACTED Version of Memorandum in Support of Motion to Exclude the Expert Opinions of Dr. Ramamirtham Sukumar and Mr. Justin Blok, # <a href="#">3</a> Exhibit 5 (Unredacted), # <a href="#">4</a> Exhibit 5 (Redacted), # <a href="#">5</a> Exhibit 6 (Unredacted), # <a href="#">6</a> Exhibit 6 (Redacted), # <a href="#">7</a> Exhibit 7 (Unredacted), # <a href="#">8</a> Exhibit 7 (Redacted), # <a href="#">9</a> Exhibit 8 (Unredacted), # <a href="#">10</a> Exhibit 8 (Redacted), # <a href="#">11</a> Exhibit 9 (Unredacted), # <a href="#">12</a> Exhibit 9 (Redacted), # <a href="#">13</a> Exhibit 10 (Unredacted), # <a href="#">14</a> Exhibit 10 (Redacted), # <a href="#">15</a> Exhibit 11 (Unredacted), # <a href="#">16</a> Exhibit 11 (Redacted), # <a href="#">17</a> Exhibit 12 (Unredacted), # <a href="#">18</a> Exhibit 12 (Redacted), # <a href="#">19</a> Exhibit 13 (Unredacted), # <a href="#">20</a> Exhibit 13 (Redacted), # <a href="#">21</a> Exhibit 14 (Unredacted), # <a href="#">22</a> Exhibit 14 (Redacted), # <a href="#">23</a> Exhibit 15 (Unredacted), # <a href="#">24</a> Exhibit 15 (Redacted), # <a href="#">25</a> Exhibit 16 (Unredacted), # <a href="#">26</a> Exhibit 16 (Redacted), # <a href="#">27</a> Exhibit 17 (Unredacted), # <a href="#">28</a> Exhibit 17 (Redacted), # <a href="#">29</a> Exhibit 18 (Unredacted), # <a href="#">30</a> Exhibit 18 (Redacted), # <a href="#">31</a> Exhibit 19 (Unredacted), # <a href="#">32</a> Exhibit 19 (Redacted), # <a href="#">33</a> Exhibit 20 (Unredacted), # <a href="#">34</a> Exhibit 20 (Redacted), # <a href="#">35</a> Exhibit 22 (Unredacted), # <a href="#">36</a> Exhibit 23 (Unredacted), # <a href="#">37</a> Exhibit 24 (Unredacted), # <a href="#">38</a> Exhibit 28 (Unredacted), # <a href="#">39</a> Exhibit 29 (Unredacted), # <a href="#">40</a> Exhibit 30 (Unredacted), # <a href="#">41</a> Exhibit 31 (Unredacted), # <a href="#">42</a> Exhibit 32 (Unredacted), # <a href="#">43</a> Exhibit 33 (Unredacted), # <a href="#">44</a> Exhibit 34 (Unredacted), # <a href="#">45</a> Exhibit 35 (Unredacted), # <a href="#">46</a> Proposed Order) (Oussayef, Karim) (Filed on 2/23/2022) (Entered: 02/23/2022)</p>
02/23/2022	<p><a href="#">283</a> MOTION to Strike /<i>Exclude the Expert Opinions of Dr. Ramamirtham Sukumar and Mr. Justin Blok</i> filed by Fitbit LLC. Motion Hearing set for 4/13/2022 02:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. Responses due by 3/23/2022. Replies due by 4/6/2022. (Attachments: # <a href="#">1</a> Memorandum in Support of Motion to Exclude the Expert Opinions of Dr. Ramamirtham Sukumar and Mr. Justin Blok (Filed Under Seal), # <a href="#">2</a> Declaration of Jamie Kringstein, # <a href="#">3</a> Exhibit 1,</p>

		# <a href="#">4</a> Exhibit 2, # <a href="#">5</a> Exhibit 3, # <a href="#">6</a> Exhibit 4, # <a href="#">7</a> Exhibit 5 (Filed Under Seal), # <a href="#">8</a> Exhibit 6 (Filed Under Seal), # <a href="#">9</a> Exhibit 7 (Filed Under Seal), # <a href="#">10</a> Exhibit 8 (Filed Under Seal), # <a href="#">11</a> Exhibit 9 (Filed Under Seal), # <a href="#">12</a> Exhibit 10 (Filed Under Seal), # <a href="#">13</a> Exhibit 11 (Filed Under Seal), # <a href="#">14</a> Exhibit 12 (Filed Under Seal), # <a href="#">15</a> Exhibit 13 (Filed Under Seal), # <a href="#">16</a> Exhibit 14 (Filed Under Seal), # <a href="#">17</a> Exhibit 15 (Filed Under Seal), # <a href="#">18</a> Exhibit 16 (Filed Under Seal), # <a href="#">19</a> Exhibit 17 (Filed Under Seal), # <a href="#">20</a> Exhibit 18 (Filed Under Seal), # <a href="#">21</a> Exhibit 19 (Filed Under Seal), # <a href="#">22</a> Exhibit 20 (Filed Under Seal), # <a href="#">23</a> Exhibit 21, # <a href="#">24</a> Exhibit 22 (Filed Under Seal), # <a href="#">25</a> Exhibit 23 (Redacted), # <a href="#">26</a> Exhibit 24 (Filed Under Seal), # <a href="#">27</a> Exhibit 25, # <a href="#">28</a> Exhibit 26, # <a href="#">29</a> Exhibit 27, # <a href="#">30</a> Exhibit 28 (Filed Under Seal), # <a href="#">31</a> Exhibit 29 (Filed Under Seal), # <a href="#">32</a> Exhibit 30 (Filed Under Seal), # <a href="#">33</a> Exhibit 31 (Filed Under Seal), # <a href="#">34</a> Exhibit 32 (Filed Under Seal), # <a href="#">35</a> Exhibit 33 (Filed Under Seal), # <a href="#">36</a> Exhibit 34 (Filed Under Seal), # <a href="#">37</a> Exhibit 35 (Filed Under Seal), # <a href="#">38</a> Exhibit 36, # <a href="#">39</a> Exhibit 37, # <a href="#">40</a> Exhibit 38, # <a href="#">41</a> Exhibit 39, # <a href="#">42</a> Exhibit 40, # <a href="#">43</a> Exhibit 41, # <a href="#">44</a> Exhibit 42, # <a href="#">45</a> Exhibit 43, # <a href="#">46</a> Exhibit 44, # <a href="#">47</a> Exhibit 45, # <a href="#">48</a> Exhibit 46, # <a href="#">49</a> Exhibit 47, # <a href="#">50</a> Exhibit 48, # <a href="#">51</a> Exhibit 49, # <a href="#">52</a> Exhibit 50, # <a href="#">53</a> Proposed Order)(Oussayef, Karim) (Filed on 2/23/2022) (Entered: 02/23/2022)
02/23/2022	<a href="#">284</a>	CERTIFICATE OF SERVICE by Fitbit LLC re <a href="#">281</a> Administrative Motion to File Under Seal <i>Portions of Defendants Motion to Exclude the Expert Opinions of Dr. Ramamirtham Sukumar and Mr. Justin Blok</i> (Oussayef, Karim) (Filed on 2/23/2022) (Entered: 02/23/2022)
02/23/2022	<a href="#">285</a>	CERTIFICATE OF SERVICE by Fitbit LLC re <a href="#">282</a> Administrative Motion to File Under Seal <i>Administrative Motion To Consider Whether Another Partys Materials Should Be Sealed</i> (Oussayef, Karim) (Filed on 2/23/2022) (Entered: 02/23/2022)
02/23/2022	<a href="#">286</a>	Administrative Motion to File Under Seal <i>Portions of Fitbits Motion to Exclude Certain Opinions and Testimony of Justin R. Blok and Certain Exhibits</i> filed by Fitbit LLC. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Unredacted Version of Notice of Motion and Motion to Exclude Certain Opinions and Testimony of Justin R. Blok, # <a href="#">3</a> Exhibit 1 (Unredacted))(Oussayef, Karim) (Filed on 2/23/2022) (Entered: 02/23/2022)
02/23/2022	<a href="#">287</a>	<b>Erroneous Entry--Please Ignore--See corrected entry below</b> MOTION to Strike <i>Exclude Certain Opinions and Testimony of Justin R. Blok</i> filed by Fitbit LLC. Motion Hearing set for 4/13/2022 02:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. Responses due by 3/23/2022. Replies due by 4/6/2022. (Attachments: # <a href="#">1</a> Declaration of Karim Z. Oussayef, # <a href="#">2</a> Exhibit 1 (Redacted), # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Proposed Order)(Oussayef, Karim) (Filed on 2/23/2022) Modified on 2/24/2022 (msr, COURT STAFF). (Entered: 02/23/2022)
02/23/2022	<a href="#">288</a>	CERTIFICATE OF SERVICE by Fitbit LLC re <a href="#">286</a> Administrative Motion to File Under Seal <i>Portions of Fitbits Motion to Exclude Certain Opinions and Testimony of Justin R. Blok and Certain Exhibits</i> (Oussayef, Karim) (Filed on 2/23/2022) (Entered: 02/23/2022)
02/24/2022	<a href="#">289</a>	MOTION to Strike <i>Exclude Certain Opinions and Testimony of Justin R. Blok</i> ( <b>CORRECTION OF DOCKET NO. 287</b> ) filed by Fitbit LLC. Motion Hearing set for 4/13/2022 02:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne

		Gonzalez Rogers. Responses due by 3/23/2022. Replies due by 4/6/2022. (Attachments: # <a href="#">1</a> Declaration of Karim Z. Oussayef, # <a href="#">2</a> Exhibit 1 (Redacted), # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Proposed Order)(Oussayef, Karim) (Filed on 2/24/2022) (Entered: 02/24/2022)
02/24/2022	<a href="#">290</a>	MOTION to Remove Incorrectly Filed Documents filed by Fitbit LLC. Responses due by 3/10/2022. Replies due by 3/17/2022. (Attachments: # <a href="#">1</a> Proposed Order) (Oussayef, Karim) (Filed on 2/24/2022) (Entered: 02/24/2022)
02/24/2022	291	CLERK'S NOTICE TO RE-NOTICE MOTIONS TO STRIKE. Counsel must re-notice not re-file the Motions to Strike previously noticed for 4/13/2022. Judge Gonzalez Rogers holds Civil Law and Motion calendar on Tuesdays at 2:00 p.m. ( <i>This is a text-only entry generated by the court. There is no document associated with this entry.</i> ) (amg, COURT STAFF) (Filed on 2/24/2022) (Entered: 02/24/2022)
02/24/2022	<a href="#">292</a>	Renotice motion hearing re <a href="#">283</a> MOTION to Strike / <i>Exclude the Expert Opinions of Dr. Ramamirtham Sukumar and Mr. Justin Blok</i> filed byFitbit LLC. (Related document(s) <a href="#">283</a> ) (Oussayef, Karim) (Filed on 2/24/2022) (Entered: 02/24/2022)
02/24/2022	<a href="#">293</a>	Renotice motion hearing re <a href="#">289</a> MOTION to Strike / <i>Exclude Certain Opinions and Testimony of Justin R. Blok ( CORRECTION OF DOCKET NO. 287)</i> filed byFitbit LLC. (Related document(s) <a href="#">289</a> ) (Oussayef, Karim) (Filed on 2/24/2022) (Entered: 02/24/2022)
02/25/2022		Set Hearing as to <a href="#">283</a> MOTION to Strike / <i>Exclude the Expert Opinions of Dr. Ramamirtham Sukumar and Mr. Justin Blok</i> , <a href="#">289</a> MOTION to Strike / <i>Exclude Certain Opinions and Testimony of Justin R. Blok ( CORRECTION OF DOCKET NO. 287)</i> . Motion Hearing set for 4/12/2022 02:00 PM in Oakland, - Videoconference Only before Judge Yvonne Gonzalez Rogers. (amg, COURT STAFF) (Filed on 2/25/2022) (Entered: 02/25/2022)
02/28/2022	<a href="#">294</a>	Declaration of Yuka Teraguchi in Support of <a href="#">282</a> Administrative Motion to File Under Seal / <i>Administrative Motion To Consider Whether Another Partys Materials Should Be Sealed</i> filed byNikon Corporation. (Related document(s) <a href="#">282</a> ) (Teraguchi, Yuka) (Filed on 2/28/2022) (Entered: 02/28/2022)
03/02/2022	295	CLERK'S NOTICE CONTINUING HEARING. Notice is hereby given that the hearing on the Motion to Strike previously set for 4/12/2022 at 2:00 p.m. is continued to 4/13/2022 at 1:00 p.m. ( <i>This is a text-only entry generated by the court. There is no document associated with this entry.</i> ) Motion Hearing set for 4/13/2022 01:00 PM in Oakland, - Videoconference Only before Judge Yvonne Gonzalez Rogers. (amg, COURT STAFF) (Filed on 3/2/2022) (Entered: 03/02/2022)
03/02/2022	296	CLERK'S NOTICE CONTINUING HEARING. Notice is hereby given that the hearing on the Motions for Summary Judgment previously set for 4/5/2022 at 2:00 p.m. is continued to 4/13/2022 at 1:00 p.m. ( <i>This is a text-only entry generated by the court. There is no document associated with this entry.</i> ) Motion Hearing set for 4/13/2022 01:00 PM in Oakland, - Videoconference Only before Judge Yvonne Gonzalez Rogers. (amg, COURT STAFF) (Filed on 3/2/2022) (Entered: 03/02/2022)



03/07/2022	<a href="#">297</a>	OPPOSITION/RESPONSE (re <a href="#">277</a> MOTION for Summary Judgment of <i>Non-Infringement of All Asserted Claims</i> ) filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration of M. Scott Fuller, # <a href="#">2</a> Proposed Order, # <a href="#">3</a> Exhibit 6, # <a href="#">4</a> Exhibit 10, # <a href="#">5</a> Exhibit 11, # <a href="#">6</a> Exhibit 27, # <a href="#">7</a> Exhibit 37, # <a href="#">8</a> Exhibit 38, # <a href="#">9</a> Exhibit 39, # <a href="#">10</a> Exhibit 40, # <a href="#">11</a> Exhibit 41, # <a href="#">12</a> Exhibit 42, # <a href="#">13</a> Exhibit 43, # <a href="#">14</a> Exhibit 44, # <a href="#">15</a> Exhibit 45, # <a href="#">16</a> Exhibit 46, # <a href="#">17</a> Exhibit 47, # <a href="#">18</a> Exhibit 48, # <a href="#">19</a> Exhibit 49, # <a href="#">20</a> Exhibit 52, # <a href="#">21</a> Exhibit 53, # <a href="#">22</a> Exhibit 54, # <a href="#">23</a> Exhibit 55, # <a href="#">24</a> Exhibit 60)(Fuller, Michael) (Filed on 3/7/2022) (Entered: 03/07/2022)
03/07/2022	<a href="#">298</a>	Administrative Motion to File Under Seal <i>Exhibits to <a href="#">297</a> Opposition to Motion for Summary Judgment</i> filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration of Randall T. Garteiser, # <a href="#">2</a> Proposed Order, # <a href="#">3</a> Exhibit 1, # <a href="#">4</a> Exhibit 2, # <a href="#">5</a> Exhibit 3, # <a href="#">6</a> Exhibit 4, # <a href="#">7</a> Exhibit 5, # <a href="#">8</a> Exhibit 7, # <a href="#">9</a> Exhibit 8, # <a href="#">10</a> Exhibit 9, # <a href="#">11</a> Exhibit 12, # <a href="#">12</a> Exhibit 13, # <a href="#">13</a> Exhibit 14, # <a href="#">14</a> Exhibit 15, # <a href="#">15</a> Exhibit 16, # <a href="#">16</a> Exhibit 17, # <a href="#">17</a> Exhibit 18, # <a href="#">18</a> Exhibit 19, # <a href="#">19</a> Exhibit 20, # <a href="#">20</a> Exhibit 21, # <a href="#">21</a> Exhibit 22, # <a href="#">22</a> Exhibit 23, # <a href="#">23</a> Exhibit 24, # <a href="#">24</a> Exhibit 25, # <a href="#">25</a> Exhibit 26, # <a href="#">26</a> Exhibit 28, # <a href="#">27</a> Exhibit 29, # <a href="#">28</a> Exhibit 30, # <a href="#">29</a> Exhibit 31, # <a href="#">30</a> Exhibit 32, # <a href="#">31</a> Exhibit 33, # <a href="#">32</a> Exhibit 34, # <a href="#">33</a> Exhibit 35, # <a href="#">34</a> Exhibit 36, # <a href="#">35</a> Exhibit 50, # <a href="#">36</a> Exhibit 51, # <a href="#">37</a> Exhibit 56, # <a href="#">38</a> Exhibit 57, # <a href="#">39</a> Exhibit 58, # <a href="#">40</a> Exhibit 59)(Fuller, Michael) (Filed on 3/7/2022) (Entered: 03/07/2022)
03/07/2022	<a href="#">299</a>	***filed in error*** Administrative Motion to File Under Seal filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration of Randall Garteiser, # <a href="#">2</a> Proposed Order, # <a href="#">3</a> Exhibit 1, # <a href="#">4</a> Exhibit 2, # <a href="#">5</a> Exhibit 3, # <a href="#">6</a> Exhibit 4, # <a href="#">7</a> Exhibit 5, # <a href="#">8</a> Exhibit 6, # <a href="#">9</a> Exhibit 7, # <a href="#">10</a> Exhibit 8, # <a href="#">11</a> Exhibit 9, # <a href="#">12</a> Exhibit 10, # <a href="#">13</a> Exhibit 11, # <a href="#">14</a> Exhibit 12, # <a href="#">15</a> Exhibit 13, # <a href="#">16</a> Exhibit 14, # <a href="#">17</a> Exhibit 15, # <a href="#">18</a> Exhibit 16, # <a href="#">19</a> Exhibit 17, # <a href="#">20</a> Exhibit 18, # <a href="#">21</a> Exhibit 19, # <a href="#">22</a> Exhibit 20, # <a href="#">23</a> Exhibit 21, # <a href="#">24</a> Exhibit 22, # <a href="#">25</a> Exhibit 24, # <a href="#">26</a> Exhibit 26, # <a href="#">27</a> Exhibit 27, # <a href="#">28</a> Exhibit 29, # <a href="#">29</a> Exhibit 30, # <a href="#">30</a> Exhibit 31, # <a href="#">31</a> Exhibit 40, # <a href="#">32</a> Exhibit 41, # <a href="#">33</a> Exhibit 42, # <a href="#">34</a> Exhibit 43, # <a href="#">35</a> Exhibit 44, # <a href="#">36</a> Exhibit 45, # <a href="#">37</a> Exhibit 46)(Garteiser, Randall) (Filed on 3/7/2022) Modified on 3/9/2022 (hdj, COURT STAFF). (Entered: 03/07/2022)
03/11/2022	300	CLERK'S NOTICE SETTING HEARING. Notice is hereby given that a hearing on the pending Motions for Summary Judgment and Daubert Motions is set for 4/22/2022 at 2:00 p.m. ( <i>This is a text-only entry generated by the court. There is no document associated with this entry.</i> ) (amg, COURT STAFF) (Filed on 3/11/2022) (Entered: 03/11/2022)
03/14/2022	<a href="#">301</a>	EXHIBITS re <a href="#">298</a> Administrative Motion to File Under Seal <i>Exhibits to <a href="#">297</a> Opposition to Motion for Summary Judgment</i> filed by Fitbit LLC. (Attachments: # <a href="#">1</a> Exhibit 3 (Proposed Redactions), # <a href="#">2</a> Exhibit 4 (Proposed Redactions))(Related document(s) <a href="#">298</a> ) (Oussayef, Karim) (Filed on 3/14/2022) (Entered: 03/14/2022)
03/14/2022	<a href="#">302</a>	Declaration of Jamie L. Kringstein in Support of <a href="#">298</a> Administrative Motion to File Under Seal <i>Exhibits to <a href="#">297</a> Opposition to Motion for Summary Judgment</i> filed by Fitbit LLC. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Exhibit 3 (REDACTED), # <a href="#">3</a> Exhibit 4 (REDACTED))(Related document(s) <a href="#">298</a> ) (Oussayef, Karim) (Filed on 3/14/2022) (Entered: 03/14/2022)



03/21/2022	<a href="#">303</a>	REPLY (re <a href="#">277</a> MOTION for Summary Judgment of <i>Non-Infringement of All Asserted Claims</i> ) filed byFitbit LLC. (Attachments: # <a href="#">1</a> Declaration of Jamie L. Kringstein, # <a href="#">2</a> Exhibit C, # <a href="#">3</a> Exhibit 10, # <a href="#">4</a> Exhibit 11, # <a href="#">5</a> Exhibit 12, # <a href="#">6</a> Exhibit 13)(Oussayef, Karim) (Filed on 3/21/2022) (Entered: 03/21/2022)
03/21/2022	<a href="#">304</a>	EXHIBITS re <a href="#">282</a> Administrative Motion to File Under Seal / <i>Administrative Motion To Consider Whether Another Partys Materials Should Be Sealed</i> filed byCellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Supplement 283-1 Unreacted filed under deal Memo ISO Motion with highlights of additional redactions, # <a href="#">2</a> Supplement 283-1Redacted Memo ISO Motion with redactions (proposed public version), # <a href="#">3</a> Exhibit 282-3 Ex 05 highlights 2021-09-03 Expert Report of Justin R Blok, with Exhibits - Cellspin v Fitbit, # <a href="#">4</a> Exhibit 282-3Redacted Ex 05 2021-09-03 Expert Report of Justin R Blok, with Exhibits - Cellspin v Fitbit, # <a href="#">5</a> Exhibit 282-5 Ex 06 highlighted Expert Report of Justin R Blok, with Exhibits - Cellspin v Nike, # <a href="#">6</a> Exhibit 282-5Redacted Ex 06 Expert Report of Justin R Blok, with Exhibits - Cellspin v Nike, # <a href="#">7</a> Exhibit 282-7 Ex 07 highlighted Expert Report of Justin R Blok with Exhibits - Cellspin v Under Armour, # <a href="#">8</a> Exhibit 282-7Redacted Ex 07 highlighted Expert Report of Justin R Blok with Exhibits - Cellspin v Under Armour, # <a href="#">9</a> Exhibit 282-9 Ex 08 Highlighted 21-09-03 Expert Report of Justin R Blok and Exhibits - Cellspin v Fossil Group, # <a href="#">10</a> Exhibit 282-9Redacted Ex 08 21-09-03 Expert Report of Justin R Blok and Exhibits - Cellspin v Fossil Group, # <a href="#">11</a> Exhibit 282-11 Ex 09 Highlighted Expert Report of Justin R Blok with Exhibits - Cellspin v Garmin, # <a href="#">12</a> Exhibit 282-11Redacted Ex 09 Expert Report of Justin R Blok with Exhibits - Cellspin v Garmin, # <a href="#">13</a> Exhibit 282-13 Ex 10 highlighted Blok Nikon Report, # <a href="#">14</a> Exhibit 282-13Redacted Ex 10 Blok Nikon Report, # <a href="#">15</a> Exhibit 282-15 Ex 11 highlighted 2021_12_01 Supplemental Expert Report of Justin R Blok with Exhibits - Cellspin v Nike, # <a href="#">16</a> Exhibit 282-15Redacted Ex 11 2021_12_01 Supplemental Expert Report of Justin R Blok with Exhibits - Cellspin v Nike, # <a href="#">17</a> Exhibit 282-17 Ex 12 highlighted 2021_12_01 Supp Expert Report of Justin R Blok with Exhibits - Cellspin v Under Armour, # <a href="#">18</a> Exhibit 282-17Redacted Ex 12 2021_12_01 Supp Expert Report of Justin R Blok with Exhibits - Cellspin v Under Armour, # <a href="#">19</a> Exhibit 282-19 Ex 13 highlights 2021_12_01 Supplemental Expert Report of Justin R Blok with Exhibits - Cellspin v Fitbit, # <a href="#">20</a> Exhibit 282-19Redacted Ex 13 2021_12_01 Supplemental Expert Report of Justin R Blok with Exhibits - Cellspin v Fitbit, # <a href="#">21</a> Exhibit 282-21 Ex 14 highlighted 2021-12-01 - HC-AEO 1st Suppl Expert Report of J Blok + Exhibits, # <a href="#">22</a> Exhibit 282-21Redacted Ex 14 2021-12-01 - HC-AEO 1st Suppl Expert Report of J Blok + Exhibits, # <a href="#">23</a> Exhibit 282-23 Ex 15 highlighted 2021-12-30 HC-AEO - 2nd Suppl Expert Report of Justin R Blok, # <a href="#">24</a> Exhibit 282-23Redacted Ex 15 2021-12-30 HC-AEO - 2nd Suppl Expert Report of Justin R Blok, # <a href="#">25</a> Exhibit 282-27 Ex 17 highlighted 2021_11_22 Supplemental Expert Report of Justin R Blok - Cellspin v Garmin, # <a href="#">26</a> Exhibit 282-27Redacted Ex 17 2021_11_22 Supplemental Expert Report of Justin R Blok - Cellspin v Garmin, # <a href="#">27</a> Exhibit 282-31 Ex 19 highlighted Blok 1st Supplemental Nikon Report, # <a href="#">28</a> Exhibit 282-31Redacted Ex 19 Blok 1st Supplemental Nikon Report, # <a href="#">29</a> Exhibit 282-37 Ex 24 Highlighted Nike Blok Tr Excerpts 01-12-2022_Blok, # <a href="#">30</a> Exhibit 282-37Redacted Ex 24 Nike Blok Tr Excerpts 01-12-2022_Blok, # <a href="#">31</a> Exhibit 282-44 Ex 34 highlighted- FitSub0940.pdf, # <a href="#">32</a> Exhibit 282-44Redacted Ex 34 - FitSub0940.pdf, # <a href="#">33</a> Proposed Order Granting

		motion to file under seal)(Related document(s) <a href="#">282</a> ) (Garteiser, Randall) (Filed on 3/21/2022) (Entered: 03/21/2022)
03/21/2022	<a href="#">305</a>	Administrative Motion to File Under Seal <i>Related to Fitbit's related motion to file under seal filed as Docket No. 282 and Docket No. 304</i> filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration With Exhibits (highlighted and redacted version of documents filed under seal filed concurrently at Docket No. 304 in connection with a related supporting statement to file under seal), # <a href="#">2</a> Proposed Order)(Garteiser, Randall) (Filed on 3/21/2022) (Entered: 03/21/2022)
03/22/2022	<a href="#">306</a>	MOTION to Continue <i>by 1-week opposition and reply deadlines for Daubert moving papers</i> filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration, # <a href="#">2</a> Proposed Order Regarding MOTION TO CONTINUE DEADLINES TO RESPOND TO DAUBERT MOTIONS TO STRIKE)(Garteiser, Randall) (Filed on 3/22/2022) (Entered: 03/22/2022)
03/24/2022	307	<b>Order denying <a href="#">306</a> Motion to Continue. Plaintiff filed a motion with respect to numerous Daubert motions after 5:00 p.m. on March 22, 2022 requesting a week extension of filings due on March 23, 2022 without providing a particularized rationale for the request as to each motion. The Court views the filing as a delaying tactic. Oppositions shall be filed by noon on March 25, 2022. Replies will be due no later than April 8, 2022 at noon. Entered by Judge Yvonne Gonzalez Rogers. (This is a text-only entry generated by the court. There is no document associated with this entry.)</b> (Entered: 03/24/2022)
03/25/2022	<a href="#">308</a>	Administrative Motion to File Under Seal filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration of Randall T. Garteiser, # <a href="#">2</a> Proposed Order GRANTING Motion to File Under Seal, # <a href="#">3</a> PLAINTIFFS RESPONSE TO <a href="#">283</a> DEFENDANTS MOTION TO EXCLUDE THE EXPERT OPINIONS OF DR. RAMAMIRTHAM SUKUMAR AND MR. JUSTIN BLOK, # <a href="#">4</a> Exhibit 1 - 2021_09_03 Sukumar Wearables Ex 2-3, # <a href="#">5</a> Exhibit 2 - 2021_09_03 Vjih Infringement Report - Fitbit, # <a href="#">6</a> Exhibit 3 - 2021_09_03 Vjih Infringement Report - Nikon, # <a href="#">7</a> Exhibit 4 - 2021_09_03 Sukumar Camera Ex 2-3, # <a href="#">8</a> Exhibit A - Sukumar Nov 17 Depo Excerpts, # <a href="#">9</a> Exhibit B - Sukumar Nov 18 Depo Excerpts, # <a href="#">10</a> Declaration of Scott Fuller, # <a href="#">11</a> Declaration of Justin R. Blok, # <a href="#">12</a> Exhibit 1 - 2021_12_27 Fitbit Blok Transcript, # <a href="#">13</a> Exhibit 2 - 2021_01_12 Nike Blok Transcript, # <a href="#">14</a> Exhibit 3 - 2021_11_23 Garmin Blok Transcript, # <a href="#">15</a> Exhibit 4 - 2021_10_29 Irvine Rebuttal Report)(Garteiser, Randall) (Filed on 3/25/2022) (Entered: 03/25/2022)
03/25/2022	<a href="#">309</a>	Administrative Motion to File Under Seal filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration of Randall T. Garteiser, # <a href="#">2</a> Proposed Order GRANTING Motion to File Under Seal, # <a href="#">3</a> PLAINTIFFS RESPONSE TO <a href="#">289</a> DEFENDANT FITBIT LLCS MOTION TO EXCLUDE CERTAIN OPINIONS AND TESTIMONY OF JUSTIN R. BLOK, # <a href="#">4</a> Declaration of Justin R. Blok, # <a href="#">5</a> Exhibit 1 - 2021_12_27 Fitbit Blok Transcript, # <a href="#">6</a> Declaration of Scott Fuller, # <a href="#">7</a> Exhibit A - Sukumar Nov 17 Depo Excerpts, # <a href="#">8</a> Exhibit B - Sukumar Nov 18 Depo Excerpts)(Garteiser, Randall) (Filed on 3/25/2022) (Entered: 03/25/2022)
03/25/2022	<a href="#">310</a>	EXHIBITS re <a href="#">308</a> Administrative Motion to File Under Seal <i>REDACTED version of</i>

		<i>[308-3] PLAINTIFFS RESPONSE TO 283 DEFENDANTS MOTION TO EXCLUDE THE EXPERT OPINIONS OF DR. RAMAMIRTHAM SUKUMAR AND MR. JUSTIN BLOK</i> filed by Cellspin Soft, Inc.. (Related document(s) <a href="#">308</a> ) (Garteiser, Randall) (Filed on 3/25/2022) (Entered: 03/25/2022)
03/25/2022	<a href="#">311</a>	EXHIBITS re <a href="#">309</a> Administrative Motion to File Under Seal <i>REDACTED</i> version of <i>[309-3] PLAINTIFFS RESPONSE TO 289 DEFENDANT FITBIT LLC'S MOTION TO EXCLUDE CERTAIN OPINIONS AND TESTIMONY OF JUSTIN R. BLOK</i> filed by Cellspin Soft, Inc.. (Related document(s) <a href="#">309</a> ) (Garteiser, Randall) (Filed on 3/25/2022) (Entered: 03/25/2022)
04/01/2022	<a href="#">312</a>	EXHIBITS re <a href="#">308</a> Administrative Motion to File Under Seal filed by Fitbit LLC. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Exhibit 2 (Proposed Redactions))(Related document(s) <a href="#">308</a> ) (Oussayef, Karim) (Filed on 4/1/2022) (Entered: 04/01/2022)
04/01/2022	<a href="#">313</a>	Declaration of Jamie L. Kringstein in Support of <a href="#">308</a> Administrative Motion to File Under Seal filed by Fitbit LLC. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Exhibit 2 (Redacted))(Related document(s) <a href="#">308</a> ) (Oussayef, Karim) (Filed on 4/1/2022) (Entered: 04/01/2022)
04/01/2022	<a href="#">314</a>	EXHIBITS re <a href="#">309</a> Administrative Motion to File Under Seal filed by Fitbit LLC. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Plaintiff's Brief (Proposed Redactions), # <a href="#">3</a> Declaration of Blok (Proposed Redactions), # <a href="#">4</a> Exhibit 1 (Proposed Redactions)) (Related document(s) <a href="#">309</a> ) (Oussayef, Karim) (Filed on 4/1/2022) (Entered: 04/01/2022)
04/01/2022	<a href="#">315</a>	Declaration of Jamie L. Kringstein in Support of <a href="#">309</a> Administrative Motion to File Under Seal filed by Fitbit LLC. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Plaintiff's Opposition Brief (Redacted), # <a href="#">3</a> Declaration of Blok (Redacted), # <a href="#">4</a> Exhibit 1 (Redacted))(Related document(s) <a href="#">309</a> ) (Oussayef, Karim) (Filed on 4/1/2022) (Entered: 04/01/2022)
04/01/2022	<a href="#">316</a>	EXHIBITS re <a href="#">308</a> Administrative Motion to File Under Seal -- <i>Declaration of Yuka Teraguchi in Support of Cellpsin's Administrative Motion to Consider Whether Another Party's Material Should be Sealed</i> filed by Nikon Corporation. (Attachments: # <a href="#">1</a> Exhibit A - revised unredacted version of 308-6, # <a href="#">2</a> Proposed Order)(Related document(s) <a href="#">308</a> ) (Teraguchi, Yuka) (Filed on 4/1/2022) (Entered: 04/01/2022)
04/07/2022	317	CLERK'S NOTICE CONTINUING COMPLIANCE DEADLINE. Notice is hereby given that the compliance deadline previously set for 4/15/2022 is continued to 5/20/2022. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> Compliance Deadline set for 5/20/2022 09:01 AM in Oakland, Chambers before Judge Yvonne Gonzalez Rogers. (amg, COURT STAFF) (Filed on 4/7/2022) (Entered: 04/07/2022)
04/07/2022	318	CLERK'S NOTICE CHANGING HEARING TIME. Notice is hereby given that the hearing previously scheduled for 5/6/2022 at 9:00 a.m. will now be heard at 2:00 p.m. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> Hearing set for 5/6/2022 02:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. (amg, COURT STAFF) (Filed on 4/7/2022)

		(Entered: 04/07/2022)
04/08/2022	<a href="#">319</a>	Administrative Motion to File Under Seal <i>Defendants' Administrative Motion to Consider Whether Another Party's Material Should be Sealed</i> filed by Fitbit LLC. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Defendants Reply Brief (FILED UNDER SEAL), # <a href="#">3</a> Exhibit 54 (FILED UNDER SEAL))(Oussayef, Karim) (Filed on 4/8/2022) (Entered: 04/08/2022)
04/08/2022	<a href="#">320</a>	REPLY (re <a href="#">283</a> MOTION to Strike / <i>Exclude the Expert Opinions of Dr. Ramamirtham Sukumar and Mr. Justin Blok</i> ) filed by Fitbit LLC. (Attachments: # <a href="#">1</a> Declaration of Jamie L. Kringstein, # <a href="#">2</a> Exhibit 51, # <a href="#">3</a> Exhibit 52, # <a href="#">4</a> Exhibit 53, # <a href="#">5</a> Exhibit 54) (Oussayef, Karim) (Filed on 4/8/2022) (Entered: 04/08/2022)
04/08/2022	<a href="#">321</a>	CERTIFICATE OF SERVICE by Fitbit LLC re <a href="#">319</a> Administrative Motion to File Under Seal <i>Defendants' Administrative Motion to Consider Whether Another Party's Material Should be Sealed</i> (Oussayef, Karim) (Filed on 4/8/2022) (Entered: 04/08/2022)
04/08/2022	<a href="#">322</a>	REPLY (re <a href="#">289</a> MOTION to Strike / <i>Exclude Certain Opinions and Testimony of Justin R. Blok ( CORRECTION OF DOCKET NO. 287)</i> ) filed by Fitbit LLC. (Oussayef, Karim) (Filed on 4/8/2022) (Entered: 04/08/2022)
04/11/2022	<a href="#">323</a>	<b>AMENDED SCHEDULING ORDER. Signed by Judge Yvonne Gonzalez Rogers on 4/11/2022. (amg, COURT STAFF) (Filed on 4/11/2022) (Entered: 04/11/2022)</b>
04/11/2022		5/6/2022 Status Conference Vacated. See Docket No. <a href="#">323</a> . (amg, COURT STAFF) (Filed on 4/11/2022) (Entered: 04/11/2022)
04/22/2022	<a href="#">324</a>	<b>Minute Entry for proceedings held before Judge Yvonne Gonzalez Rogers: Motions Hearing held on 4/22/2022. Total Time in Court: 4:54. Court Reporter: Pamela Hebel. (amg, COURT STAFF) (Date Filed: 4/22/2022) (Entered: 04/22/2022)</b>
04/25/2022	<a href="#">325</a>	TRANSCRIPT ORDER for proceedings held on 4/22/2022 before Judge Yvonne Gonzalez Rogers by Fitbit LLC, for Court Reporter Pam Batalo. (Oussayef, Karim) (Filed on 4/25/2022) (Entered: 04/25/2022)
04/25/2022	<a href="#">326</a>	TRANSCRIPT ORDER for proceedings held on 4/22/2022 before Judge Yvonne Gonzalez Rogers by Fitbit LLC, Fitbit, Inc., for Court Reporter Pam Batalo. (Parker, Victoria) (Filed on 4/25/2022) (Entered: 04/25/2022)
04/26/2022	<a href="#">327</a>	TRANSCRIPT ORDER for proceedings held on 4/22/2022 before Judge Yvonne Gonzalez Rogers by Cellspin Soft, Inc., for Court Reporter Pam Batalo. (Garteiser, Randall) (Filed on 4/26/2022) (Entered: 04/26/2022)
04/26/2022	<a href="#">328</a>	Transcript of Proceedings held on 04/22/2022, before Judge Gonzalez Rogers. Court Reporter Pamela Batalo Hebel, telephone number 626-688-7509; pamelabatalohebel@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice



		of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re (325 in 4:17-cv-05928-YGR) Transcript Order ) Redaction Request due 5/17/2022. Redacted Transcript Deadline set for 5/27/2022. Release of Transcript Restriction set for 7/25/2022. (Batalo, Pam) (Filed on 4/26/2022) (Entered: 04/26/2022)
05/03/2022	<a href="#">329</a>	NOTICE by Cellspin Soft, Inc. <i>of Conflicts with Respect to Potential Trial Dates</i> (Fuller, Michael) (Filed on 5/3/2022) (Entered: 05/03/2022)
05/19/2022	330	CLERK'S NOTICE VACATING COMPLIANCE DEADLINE. Notice is hereby given that the compliance deadline previously set for 5/20/2022 is vacated. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (amg, COURT STAFF) (Filed on 5/19/2022) (Entered: 05/19/2022)
06/07/2022	<a href="#">331</a>	<b>UNDER SEAL SUMMARY JUDGMENT ORDERS. Signed by Judge Yvonne Gonzalez Rogers on 6/7/2022. (amg, COURT STAFF) (Filed on 6/7/2022) (amg, COURT STAFF). (Entered: 06/07/2022)</b>
06/15/2022	<a href="#">332</a>	<b>SUMMARY JUDGMENT ORDERS. *REDACTED VERSION*. Signed by Judge Yvonne Gonzalez Rogers on 6/7/2022. (amg, COURT STAFF) (Filed on 6/15/2022) (Entered: 06/15/2022)</b>
06/15/2022	<a href="#">333</a>	<b>JUDGMENT. Signed by Judge Yvonne Gonzalez Rogers on 6/15/2022. (amg, COURT STAFF) (Filed on 6/15/2022) (Entered: 06/15/2022)</b>
06/17/2022	<a href="#">334</a>	TRANSCRIPT ORDER for proceedings held on 12/16/2021 before Judge Yvonne Gonzalez Rogers by Fitbit LLC, for Court Reporter Pam Batalo-Hebel. (Oussayef, Karim) (Filed on 6/17/2022) (Entered: 06/17/2022)
06/23/2022	<a href="#">335</a>	Transcript of Proceedings held on 12/16/2021, before Judge Gonzalez Rogers. Court Reporter Pamela Batalo Hebel, telephone number 626-688-7509; pamelabatalohebel@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re (334 in 4:17-cv-05928-YGR) Transcript Order ) Redaction Request due 7/14/2022. Redacted Transcript Deadline set for 7/25/2022. Release of Transcript Restriction set for 9/21/2022. (Batalo, Pam) (Filed on 6/23/2022) (Entered: 06/23/2022)
06/23/2022	<a href="#">336</a>	TRANSCRIPT ORDER for proceedings held on 1/18/2022 before Judge Yvonne Gonzalez Rogers by Cellspin Soft, Inc., for Court Reporter Raynee Mercado. (Garteiser, Randall) (Filed on 6/23/2022) (Entered: 06/23/2022)
06/27/2022	<a href="#">337</a>	TRANSCRIPT ORDER for proceedings held on 12/16/2021 before Judge Yvonne Gonzalez Rogers by Cellspin Soft, Inc., for Court Reporter Pam Batalo-Hebel. (Garteiser, Randall) (Filed on 6/27/2022) (Entered: 06/27/2022)
06/27/2022	<a href="#">338</a>	TRANSCRIPT ORDER for proceedings held on 1/18/2022 before Judge Yvonne Gonzalez Rogers by Fitbit LLC, for Court Reporter Raynee Mercado. (Oussayef,



		Karim) (Filed on 6/27/2022) (Entered: 06/27/2022)
06/29/2022	<a href="#">339</a>	MOTION for Attorney Fees filed by Fitbit LLC. Motion Hearing set for 8/9/2022 02:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. Responses due by 7/13/2022. Replies due by 7/20/2022. (Attachments: # <a href="#">1</a> Declaration of Karim Z. Oussayef, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Exhibit 3, # <a href="#">5</a> Exhibit 4, # <a href="#">6</a> Exhibit 5, # <a href="#">7</a> Exhibit 6, # <a href="#">8</a> Exhibit 7, # <a href="#">9</a> Proposed Order)(Oussayef, Karim) (Filed on 6/29/2022) (Entered: 06/29/2022)
06/29/2022	<a href="#">340</a>	BILL OF COSTS by Fitbit LLC. Objections due by 7/13/2022. (Attachments: # <a href="#">1</a> Declaration of Karim Z. Oussayef, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2)(Oussayef, Karim) (Filed on 6/29/2022) (Entered: 06/29/2022)
07/04/2022	<a href="#">341</a>	Transcript of Proceedings held on January 19, 2022, before Judge Yvonne Gonzalez Rogers. Court Reporter Raynee H. Mercado, CSR, telephone number 510-565-7228, cacsr8258@gmail.com. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re (338 in 4:17-cv-05928-YGR) Transcript Order ) Release of Transcript Restriction set for 9/30/2022. (Mercado, Raynee) (Filed on 7/4/2022) (Entered: 07/04/2022)
07/06/2022	<a href="#">342</a>	***error***MOTION for Extension of Time to File Response/Reply as to <a href="#">339</a> MOTION for Attorney Fees <i>Stipulation to Extend Plaintiff's Response and Defendants' Reply Deadlines Regarding Defendants' Motions for Attorneys Fees and Joinder</i> filed by Cellspin Soft, Inc.. (Garteiser, Randall) (Filed on 7/6/2022) Modified on 7/7/2022 (hdj, COURT STAFF). (Entered: 07/06/2022)
07/06/2022	<a href="#">343</a>	STIPULATION WITH PROPOSED ORDER re <a href="#">339</a> MOTION for Attorney Fees <i>Stipulation to Extend Plaintiff's Response and Defendants' Reply Deadlines Regarding Defendants' Motions for Attorneys Fees and Joinder</i> filed by Cellspin Soft, Inc.. (Garteiser, Randall) (Filed on 7/6/2022) (Entered: 07/06/2022)
07/07/2022	<a href="#">344</a>	<b>ORDER GRANTING STIPULATION TO EXTEND PLAINTIFF'S RESPONSE AND DEFENDANTS' REPLY DEADLINES REGARDING DEFENDANTS' MOTIONS FOR ATTORNEY FEES AND JOINDER. Responses due by 8/15/2022. Replies due by 9/7/2022. Motion Hearing set for 9/27/2022 02:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. Signed by Judge Yvonne Gonzalez Rogers on 7/7/2022. (amg, COURT STAFF) (Filed on 7/7/2022) (Entered: 07/07/2022)</b>
07/13/2022	<a href="#">345</a>	OBJECTIONS to re <a href="#">340</a> Bill of Costs by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration PJC Decl, # <a href="#">2</a> Exhibit EX 1)(Corcoran, Peter) (Filed on 7/13/2022) (Entered: 07/13/2022)
07/13/2022	<a href="#">346</a>	NOTICE OF APPEAL to the Federal Circuit by Cellspin Soft, Inc. Appeal of <a href="#">186</a> , <a href="#">331</a> Order, <a href="#">332</a> Order, <a href="#">333</a> Judgment. Filing fee \$ 505, receipt number ACANDC-17348945. Appeal Record due by 8/12/2022. (Garteiser, Randall) (Filed on 7/13/2022)

		Modified on 7/14/2022 (mcl, COURT STAFF). (Entered: 07/13/2022)
07/14/2022		<a href="#">Electronic filing error</a> . Document not properly linked. [err102]Corrected by Clerk's Office. No further action is necessary. Re: <a href="#">346</a> Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc. (mcl, COURT STAFF) (Filed on 7/14/2022) (Entered: 07/14/2022)
07/14/2022		Appeal packet emailed to U.S. Court of Appeals for the Federal Circuit. (mcl, COURT STAFF) (Filed on 7/14/2022) (Entered: 07/14/2022)
07/15/2022	<a href="#">347</a>	Federal Circuit Court of Appeals <b>Case Number 2022-2025</b> for <a href="#">346</a> Notice of Appeal to the Federal Circuit, filed by Cellspin Soft, Inc.. (msr, COURT STAFF) (Filed on 7/15/2022) (Entered: 07/15/2022)
07/15/2022	<a href="#">348</a>	ADMINISTRATIVE MOTION Stay post judgment pending appeal re <a href="#">347</a> USCA Case Number filed by Cellspin Soft, Inc.. Responses due by 7/19/2022. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Declaration)(Garteiser, Randall) (Filed on 7/15/2022) . Modified on 7/18/2022 (msr, COURT STAFF). (Entered: 07/15/2022)
07/19/2022	<a href="#">349</a>	STIPULATION WITH PROPOSED ORDER re <a href="#">348</a> ADMINISTRATIVE MOTION Stay post trial proceedings pending appeal re <a href="#">347</a> USCA Case Number filed by Fitbit LLC. (Kringstein, Jamie) (Filed on 7/19/2022) (Entered: 07/19/2022)
07/19/2022	<a href="#">350</a>	<b>ORDER by Judge Yvonne Gonzalez Rogers Granting (349) in case 4:17-cv-05928-YGR; granting (234) in case 4:17-cv-05931-YGR; (203) Stipulation in case 4:17-cv-05932-YGR; (235) in case 4:17-cv-05934-YGR; (246) Stipulation in case 4:17-cv-05936-YGR STIPULATION TO EXTEND DEFENDANTS' RESPONSE DEADLINE REGARDING PLAINTIFF'S ADMINISTRATIVE MOTION TO STAY PENDING APPEAL. (amg, COURT STAFF) (Filed on 7/19/2022) (Entered: 07/19/2022)</b>
07/19/2022		Reset Deadline as to (348 in 4:17-cv-05928-YGR) ADMINISTRATIVE MOTION Stay post trial proceedings pending appeal re (347) USCA Case Number , (233 in 4:17-cv-05931-YGR) ADMINISTRATIVE MOTION, (201 in 4:17-cv-05932-YGR) Motion to Stay pending resolution on appeal, (331 in 4:17-cv-05933-YGR) ADMINISTRATIVE MOTION Stay post judgment proceedings re (313) Judgment, Terminated Case, (329) Notice of Appeal to the Federal Circuit, , (243 in 4:17-cv-05936-YGR) ADMINISTRATIVE MOTION Stay proceedings pending appeal to re (242) Notice of Appeal to the Federal Circuit, . Response due by 7/22/2022. (amg, COURT STAFF) (Filed on 7/19/2022) (Entered: 07/19/2022)
07/21/2022	<a href="#">351</a>	Costs Taxed in amount of \$18,891.44 against Cellspin Soft, Inc. as to <a href="#">340</a> Bill of Costs. (kc, COURT STAFF) (Filed on 7/21/2022) (Entered: 07/21/2022)
07/21/2022	<a href="#">352</a>	Costs Taxed in amount of \$18,891.44 against Cellspin Soft, Inc. as to 340 Bill of Costs. ***Amended to add Disallowance Reason***. (kc, COURT STAFF) (Filed on 7/21/2022) (Entered: 07/21/2022)
07/22/2022	<a href="#">353</a>	OPPOSITION/RESPONSE (re <a href="#">348</a> ADMINISTRATIVE MOTION Stay post trial proceedings pending appeal re <a href="#">347</a> USCA Case Number ) filed byFitbit LLC. (Ganguly, Tuhin) (Filed on 7/22/2022) (Entered: 07/22/2022)

07/25/2022	<a href="#">354</a>	REPLY (re <a href="#">348</a> ADMINISTRATIVE MOTION Stay post trial proceedings pending appeal re <a href="#">347</a> USCA Case Number ) filed by Cellspin Soft, Inc.. (Garteiser, Randall) (Filed on 7/25/2022) (Entered: 07/25/2022)
08/15/2022	<a href="#">355</a>	OPPOSITION/RESPONSE (re <a href="#">339</a> MOTION for Attorney Fees ) filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration PJC Decl, # <a href="#">2</a> Exhibit EX 1 - 2022.03.21 1 Week Extension for Cellspin Daubert Responses, # <a href="#">3</a> Exhibit EX 2 - 2020.10.29 3-19-cv-3710 (PDS-IBM) (NDCA) <a href="#">69</a> )(Corcoran, Peter) (Filed on 8/15/2022) (Entered: 08/15/2022)
08/17/2022	<a href="#">356</a>	<b>ORDER by Judge Yvonne Gonzalez Rogers Denying (348) in case 4:17-cv-05928-YGR; (233) in case 4:17-cv-05931-YGR; (201) in case 4:17-cv-05932-YGR; (331) in case 4:17-cv-05933-YGR; (230) in case 4:17-cv-05934-YGR; (243) in case 4:17-cv-05936-YGR ADMINISTRATIVE MOTION TO STAY. (amg, COURT STAFF) (Filed on 8/17/2022) (Entered: 08/17/2022)</b>
09/01/2022	<a href="#">357</a>	<b>ORDER REGARDING SEALING MOTIONS. Signed by Judge Yvonne Gonzalez Rogers on 9/1/2022. (amg, COURT STAFF) (Filed on 9/1/2022) (Entered: 09/01/2022)</b>
09/07/2022	<a href="#">358</a>	REPLY (re <a href="#">339</a> MOTION for Attorney Fees ) filed by Fitbit LLC. (Kringstein, Jamie) (Filed on 9/7/2022) (Entered: 09/07/2022)
09/12/2022	359	CLERK'S NOTICE VACATING HEARING. Notice is hereby given that the hearing previously set for 9/27/2022 is vacated. The Court will reset if necessary. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (amg, COURT STAFF) (Filed on 9/12/2022) (Entered: 09/12/2022)
10/06/2022	<a href="#">360</a>	<b>ORDER DENYING DEFENDANTS' MOTION FOR ATTORNEYS' FEES; ORDER DENYING MOTION TO REVIEW CLERK'S ORDER TAXING COSTS; ORDER DENYING AS MOOT MOTION FOR JOINDER. Signed by Judge Yvonne Gonzalez Rogers on 10/6/2022. (amg, COURT STAFF) (Filed on 10/6/2022) (Entered: 10/06/2022)</b>
12/22/2022	<a href="#">361</a>	MOTION to Enforce Execution of Bills of Costs filed by Fitbit LLC. Motion Hearing set for 1/31/2023 02:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. Responses due by 1/5/2023. Replies due by 1/12/2023. (Attachments: # <a href="#">1</a> Declaration of Jamie L. Kringstein, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Proposed Order)(Kringstein, Jamie) (Filed on 12/22/2022) (Entered: 12/22/2022)
01/05/2023	<a href="#">362</a>	STIPULATION WITH PROPOSED ORDER re <a href="#">361</a> MOTION to Enforce Execution of Bills of Costs <i>STIPULATION TO CONTINUE DEADLINE TO RESPOND TO DEFENDANTS MOTION TO ENFORCE EXECUTION OF BILLS OF COSTS</i> filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Proposed Order)(Garteiser, Randall) (Filed on 1/5/2023) (Entered: 01/05/2023)
01/06/2023	<a href="#">363</a>	NOTICE by Fitbit LLC of <i>Withdrawal of Counsel, Ameet A. Modi</i> (Kringstein, Jamie) (Filed on 1/6/2023) (Entered: 01/06/2023)
01/08/2023	364	<b>Order Granting in part and Denying in part <a href="#">362</a> Stipulation re briefing deadlines.</b>

		<b>Plaintiff shall file any opposition by January 19, 2023. Any reply shall be filed by January 26, 2023. Pursuant to the District's rules, the hearing is continued until February 14, 2023. However, until briefing is complete, it is not known whether argument will be necessary. Entered by Judge Yvonne Gonzalez Rogers. (This is a text-only entry generated by the court. There is no document associated with this entry.) (Entered: 01/08/2023)</b>
01/09/2023		Reset Deadlines/Hearing as to <a href="#">361</a> MOTION to Enforce Execution of Bills of Costs . Response due by 1/19/2023. Reply due by 1/26/2023. Motion Hearing set for 2/14/2023 02:00 PM in Oakland, Courtroom 1, 4th Floor before Judge Yvonne Gonzalez Rogers. (amg, COURT STAFF) (Filed on 1/9/2023) (Entered: 01/09/2023)
01/19/2023	<a href="#">365</a>	OPPOSITION/RESPONSE (re <a href="#">361</a> MOTION to Enforce Execution of Bills of Costs ) filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Exhibit A - Order)(Garteiser, Randall) (Filed on 1/19/2023) (Entered: 01/20/2023)
01/20/2023	<a href="#">366</a>	MOTION for Recusal filed by Cellspin Soft, Inc.. Responses due by 2/3/2023. Replies due by 2/10/2023. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Declaration of Randall Garteiser, # <a href="#">3</a> Exhibit 1, # <a href="#">4</a> Exhibit 2, # <a href="#">5</a> Exhibit 3, # <a href="#">6</a> Exhibit 4, # <a href="#">7</a> Exhibit 5, # <a href="#">8</a> Exhibit 6, # <a href="#">9</a> Exhibit 7, # <a href="#">10</a> Exhibit 8, # <a href="#">11</a> Exhibit 9, # <a href="#">12</a> Exhibit 10, # <a href="#">13</a> Exhibit 11, # <a href="#">14</a> Exhibit 12, # <a href="#">15</a> Exhibit 13, # <a href="#">16</a> Exhibit 14, # <a href="#">17</a> Exhibit 15, # <a href="#">18</a> Exhibit 16, # <a href="#">19</a> Exhibit 17, # <a href="#">20</a> Exhibit 18, # <a href="#">21</a> Exhibit 19, # <a href="#">22</a> Exhibit 20, # <a href="#">23</a> Exhibit 21, # <a href="#">24</a> Exhibit 22, # <a href="#">25</a> Exhibit 23, # <a href="#">26</a> Exhibit 24, # <a href="#">27</a> Exhibit 25, # <a href="#">28</a> Exhibit 26, # <a href="#">29</a> Exhibit 27, # <a href="#">30</a> Exhibit 28, # <a href="#">31</a> Exhibit 29, # <a href="#">32</a> Exhibit 30, # <a href="#">33</a> Exhibit 31, # <a href="#">34</a> Exhibit 32, # <a href="#">35</a> Exhibit 33, # <a href="#">36</a> Exhibit 34, # <a href="#">37</a> Exhibit 35, # <a href="#">38</a> Exhibit 36, # <a href="#">39</a> Exhibit 37)(Garteiser, Randall) (Filed on 1/20/2023) (Entered: 01/20/2023)
01/20/2023	<a href="#">367</a>	<b>ORDER REFERRING (<a href="#">366</a> in 4:17-cv-05928-YGR) MOTION FOR JUDICIAL RECUSAL. Signed by Judge Yvonne Gonzalez Rogers on 1/20/2023. (amg, COURT STAFF) (Filed on 1/20/2023) (Entered: 01/20/2023)</b>
01/23/2023	<a href="#">368</a>	<b>ORDER WITHDRAWING REFERENCE. Signed by Judge Yvonne Gonzalez Rogers on 1/23/2023. (amg, COURT STAFF) (Filed on 1/23/2023) (Entered: 01/23/2023)</b>
01/24/2023	<a href="#">369</a>	STIPULATION to Enlarge Time for Defendants to Respond to Cellspin's Motion for Recusal filed by Fitbit LLC. (Kringstein, Jamie) (Filed on 1/24/2023) (Entered: 01/24/2023)
01/26/2023	<a href="#">370</a>	REPLY (re <a href="#">361</a> MOTION to Enforce Execution of Bills of Costs ) filed by Fitbit LLC. (Kringstein, Jamie) (Filed on 1/26/2023) (Entered: 01/26/2023)
01/26/2023	<a href="#">371</a>	EXHIBITS re <a href="#">366</a> MOTION for Recusal <i>DECLARATION OF RANDALL GARTEISER CORRECTING EXHIBIT QUALITY FOR THE CONVENIENCE OF THE COURT</i> filed by Cellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Exhibit 2, replacing [366-4], # <a href="#">2</a> Exhibit 3, replacing [366-5], # <a href="#">3</a> Exhibit 4, replacing [366-6], # <a href="#">4</a> Exhibit 5, replacing [366-7], # <a href="#">5</a> Exhibit 6, replacing [366-8], # <a href="#">6</a> Exhibit 7, replacing [366-9], # <a href="#">7</a> Exhibit 8, replacing [366-10], # <a href="#">8</a> Exhibit 9, replacing [366-11], # <a href="#">9</a> Exhibit 10, replacing [366-12], # <a href="#">10</a> Exhibit 12, replacing [366-14], # <a href="#">11</a> Exhibit 14, replacing [366-16], # <a href="#">12</a> Exhibit 15, replacing [366-17], # <a href="#">13</a> Exhibit 16, replacing [366-18], #

		<a href="#">14</a> Exhibit 18, replacing [366-20], # <a href="#">15</a> Exhibit 36, replacing [366-38])(Related document(s) <a href="#">366</a> ) (Garteiser, Randall) (Filed on 1/26/2023) (Entered: 01/26/2023)
01/27/2023	372	CLERK'S NOTICE VACATING HEARING. Notice is hereby given that the hearing on the <a href="#">361</a> MOTION to Enforce Execution of Bills of Costs previously set for 2/14/2023 is vacated. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (amg, COURT STAFF) (Filed on 1/27/2023) (Entered: 01/27/2023)
02/03/2023	<a href="#">373</a>	OPPOSITION/RESPONSE (re <a href="#">366</a> MOTION for Recusal ) filed byFitbit LLC. (Attachments: # <a href="#">1</a> Declaration of Jamie L. Kringstein, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Exhibit 3, # <a href="#">5</a> Exhibit 4, # <a href="#">6</a> Exhibit 5, # <a href="#">7</a> Exhibit 6)(Kringstein, Jamie) (Filed on 2/3/2023) (Entered: 02/03/2023)
02/03/2023	<a href="#">374</a>	OPPOSITION/RESPONSE (re <a href="#">366</a> MOTION for Recusal ) filed byNikon Americas, Inc., Nikon Inc.. (Attachments: # <a href="#">1</a> Declaration of Yuka Teraguchi, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B, # <a href="#">4</a> Exhibit C, # <a href="#">5</a> Exhibit D, # <a href="#">6</a> Exhibit E, # <a href="#">7</a> Exhibit F)(Teraguchi, Yuka) (Filed on 2/3/2023) (Entered: 02/03/2023)
02/10/2023	<a href="#">375</a>	REPLY (re <a href="#">366</a> MOTION for Recusal ) filed byCellspin Soft, Inc.. (Attachments: # <a href="#">1</a> Declaration of Randall T. Garteiser, # <a href="#">2</a> Exhibit 38, # <a href="#">3</a> Exhibit 39, # <a href="#">4</a> Exhibit 40, # <a href="#">5</a> Exhibit 41)(Garteiser, Randall) (Filed on 2/10/2023) (Entered: 02/10/2023)
02/15/2023	<a href="#">376</a>	<b>Order by Judge Yvonne Gonzalez Rogers Denying (366) MOTION FOR RECUSAL PURSUANT TO SECTION 455 in case 4:17-cv-05928-YGR. Associated Cases: 4:17-cv-05928-YGR, 4:17-cv-05931-YGR, 4:17-cv-05932-YGR, 4:17-cv-05933-YGR, 4:17-cv-05934-YGR, 4:17-cv-05936-YGR(amg, COURT STAFF) (Filed on 2/15/2023) (Entered: 02/15/2023)</b>

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
02/17/2023 14:05:27			
<b>PACER Login:</b>	gh000001	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	4:17-cv-05928-YGR
<b>Billable Pages:</b>	30	<b>Cost:</b>	3.00



United States District Court  
Northern District of California

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

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

CELLSPIN SOFT, INC.,

Plaintiff,

vs.

FITBIT, INC.,

-----  
NIKE, INC.,

-----  
UNDER ARMOUR, INC.,

-----  
FOSSIL GROUP, ET AL.,

-----  
GARMIN INTERNATIONAL, INC.,

-----  
NIKON AMERICAS, INC., ET AL.,

Defendants.

**ORDER DENYING MOTION FOR RECUSAL  
PURSUANT TO SECTION 455**

Case No. 4:17-CV-05928-YGR

Case No. 4:17-CV-05931-YGR

Case No. 4:17-CV-05932-YGR

Case No. 4:17-CV-05933-YGR

Case No. 4:17-CV-05934-YGR

Case No. 4:17-CV-05936-YGR

Pending before the Court is a futile attempt to evade the Federal Circuit’s review of this Court’s June 7, 2022, 83-page comprehensive order granting defendants’ motions for summary judgment. (Dkt. No. 331.)<sup>1</sup> Plaintiff’s chosen vehicle is a motion for recusal of the undersigned under 28 U.S.C. §§ 455(a)-(d). (Dkt. No. 366.)

<sup>1</sup> These defendants include Fitbit, Inc. (“Fitbit”), Nike, Inc. (“Nike”), Under Armour, Inc. (“Under Armour”), Fossil Group (“Fossil”), Garmin International, Inc. (“Garmin”), and Nikon Americas, Inc. (“Nikon”). Plaintiff’s caption also extends its motion to defendant Moov, Inc. (“Moov”). Judgment was not entered as to Moov.

All docket references are to Case No. 4:17-cv-5928-YGR unless otherwise indicated.

1 In short, plaintiff’s attack on the integrity of the judiciary, through the undersigned,<sup>2</sup> not  
2 only demonstrates a measure of desperation, but is divorced from the law and the facts. Reduced  
3 to its essence, and extended to its illogical conclusion, the motion would seek to have federal  
4 judges recuse after the appeal of their objective findings, based upon nothing but speculation and  
5 attenuation. The argument is extreme and meritless.

6 Notably, plaintiff’s motion is also plagued by myriad procedural deficiencies. While the  
7 Court is under no obligation to address the meritless assertions in detail, it does so at exacting  
8 length to increase transparency<sup>3</sup> and reassure the public that members of the judiciary take  
9 seriously their obligation to be impartial and objective. Unfortunately, the judiciary cannot predict  
10 when lawyers and parties will grasp to bypass the normal avenues of appellate review hoping for  
11 the proverbial second bite at the apple.

12 Simply put, the undersigned has no material financial stake in the outcome of this case and  
13 there is no other reason why her impartiality might reasonably be questioned to justify recusal.  
14 Evidence does not exist to support a contrary result. Nor do bald attorney arguments divorced  
15 from law and fact compel a different finding. For the following reasons, the motion for recusal is  
16 **DENIED.**<sup>4</sup>

17 \_\_\_\_\_  
18 <sup>2</sup> Through convoluted allegations, the plaintiff also seeks to attack the business affiliations  
19 of the undersigned’s husband. The undersigned’s husband is only affiliated with this case by way  
20 of the undersigned’s role as an officer of the court. While his name has been extensively  
21 highlighted in the record, the Court finds no reason to inject it further into this dispute.

22 <sup>3</sup> Plaintiff baldly suggests that the Court has been derelict by failing to submit its 2021 and  
23 2022 financial disclosures. This attack on the Court’s integrity is inconsistent with fact. The 2022  
24 deadline has not passed. As to the 2021 fiscal year, the Court did timely submit a disclosure. Its  
25 public release has been temporarily stayed because the Administrative Office of the U.S. Courts,  
26 not the undersigned, found that the undersigned and her husband actually **over-disclosed**, further  
27 demonstrating the Court’s commitment to transparency. That disclosure will ultimately be  
28 released and will not change the outcome of this motion.

<sup>4</sup> Fitbit, Nike, Under Armour, Fossil, and Nikon all filed briefs opposing the motion in  
their respective cases or the docket concerning Fitbit. Garmin filed an unopposed request for  
leave to file its opposition, which is granted. All oppositions are considered.

Since plaintiff failed to notice the motion for hearing consistent with Civil Local Rule 7-2,  
Fitbit noticed the motion for hearing on February 28, 2023. Pursuant to Federal Rule of Civil  
Procedure 78(b) and Civil Local Rule 7-1(b), the Court finds that the motion is appropriate for  
decision without oral argument. Therefore, the hearing noticed for February 28, 2023 is

United States District Court  
Northern District of California

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

**I. BACKGROUND**

The Court assumes the parties’ familiarity with the factual underpinnings of this lawsuit, which are largely irrelevant to the pending motion.

This lawsuit was commenced in 2017 when plaintiff filed over a dozen complaints alleging infringement of one or more patents. In December 2017, the undersigned related fourteen cases. (Dkt. No. 18.) Subsequently, on April 10, 2018, the Court dismissed plaintiff’s claims finding that the asserted patents at issue were directed to unpatentable subject matter pursuant to 35 U.S.C. § 101. (Dkt. No. 79, 81.) That order was appealed and subsequently reversed by the Federal Circuit. (Dkt. No. 108.) Following remand, the cases proceeded through claim construction and discovery.

Relevant to the pending motion, on February 3, 2021, Fitbit submitted an Amended Corporate Disclosure Statement and Amended Certification of Interested Parties disclosing that “it is a subsidiary of Google LLC, which is a subsidiary of XXVI Holdings Inc., which is a subsidiary of Alphabet Inc., a publicly traded company.” (Dkt. No. 165.) According to plaintiff’s pending motion, Google’s<sup>5</sup> introduction into these proceedings via Fitbit gave rise to publicly known circumstances which plaintiff now claims, over – months later, required the undersigned to recuse herself from these patent cases. Plaintiff did not move for disqualification and proceedings continued.

In January 2022, the defendants moved for summary judgment of noninfringement. A joint hearing on the motions was held on April 22, 2022, where the nuances of the various motions were addressed extensively. After taking the motions for summary judgment under submission, the Court issued a comprehensive omnibus order on June 7, 2022. (Dkt. No. 331.) That order addressed the particularities of each motion brought by the defendants. Where the order addressed all pending claims, judgment was entered in favor of the defendants on June 15, 2022.

---

**VACATED.**

<sup>5</sup> Plaintiff broadly uses “Google” to refer to myriad projects, investments, entities, partnerships, and services. Through this shotgun tactic, plaintiff has substantially failed to articulate the legal foundation throughout the vast majority of its filings.

1           Approximately one month later, plaintiff filed its notice of appeal on July 13, 2022. (Dkt.  
2 No. 346.) Taking judicial notice of the appellate record, the appeal was docketed on July 15,  
3 2022, and plaintiff filed an opening brief on December 16, 2022.

4           Nearly seven months after entry of judgment and after substantial progress on appeal,  
5 plaintiff has now moved to recuse the undersigned pursuant to 28 U.S.C. §§ 455(a)-(d) and  
6 requests that the Court vacate the entry of summary judgment in favor of the defendants due to the  
7 alleged violations of section 455. In short, the motion asserts that the Court has an appearance of  
8 bias in favor Google or financial interests in Google. Plaintiff bases these allegations on at least  
9 three reasons: (1) the undersigned’s husband’s employment with McKinsey & Company, Inc.  
10 (“McKinsey”); (2) the undersigned’s husband’s employment with Ajax Strategies Venture Capital  
11 as an Operating Partner (“Ajax”) where he purportedly handles over eight companies funded  
12 and/or in partnership with Google; and (3) the undersigned’s purported investments in Google and  
13 the defendants through the Vanguard 500 Index Fund, Vanguard Total International Stock Index  
14 Fund, and the McKinsey Special Situations Aggressive Long-Term fund (“Special Situations  
15 Fund”). While plaintiff’s motion attaches over 1500 pages of exhibits, the Court notes that  
16 plaintiff does not cite to the documents with any degree of particularity. As addressed below, the  
17 accusations are frivolous and devoid of any evidentiary merit. While unnecessary, this order  
18 provides detail to support transparency and any appellate review.

19       **II.     LEGAL STANDARDS**

20           The standard for recusal is not in serious dispute. The Court’s duty to recuse here is  
21 governed by 28 U.S.C. § 455.

22           First, a judge “shall disqualify [her]self in any proceeding in which [her] impartiality might  
23 reasonably be questioned.” 28 U.S.C. § 455(a). In analyzing the Court’s impartiality, the Ninth  
24 Circuit “employ[s] an objective test: ‘whether a reasonable person with knowledge of all the facts  
25 would conclude that the judge’s impartiality might reasonably be questioned.’” *Clemens v. U.S.*  
26 *Dist. Ct.*, 428 F.3d 1175, 1178 (9th Cir. 2005) (quoting *Herrington v. County of Sonoma*, 834 F.2d  
27 1488, 1502 (9th Cir. 1988)). It is well-known that “the ‘reasonable person’ is not someone who is  
28 ‘hypersensitive or unduly suspicious,’ but rather is a ‘well-informed, thoughtful observer.’ The

1 standard must not be so broadly construed that it becomes, in effect, presumptive, so that recusal is  
 2 mandated upon the merest unsubstantiated suggestion of personal bias or prejudice.” *United*  
 3 *States v. Holland*, 519 F.3d 909, 913 (9th Cir. 2008) (internal citations omitted).

4 Second, a judge “shall also disqualify [her]self . . . [when she] knows that [s]he,  
 5 individually or as a fiduciary, or [her] spouse . . . has a financial interest in the subject matter in  
 6 controversy or in a party to the proceeding, or any other interest that could be substantially  
 7 affected by the outcome of the proceeding.” 28 U.S.C. § 455(b)(4). A “financial interest” is  
 8 statutorily defined as “ownership of a legal or equitable interest, however small, or a relationship  
 9 as director, adviser, or other active participant in the affairs of a party.” 28 U.S.C. § 455(d)(4).  
 10 However, “[o]wnership in a mutual or common investment fund that holds securities is not a  
 11 ‘financial interest’ in such securities unless the judge participates in the management of the fund.”  
 12 28 U.S.C. § 455(d)(4)(i).

13 Notably, “[j]udges are presumed to be impartial and, accordingly, parties seeking recusal  
 14 bear the substantial burden of proving otherwise.” *Stebbins v. Polano*, No. 21-cv-04184-JSW,  
 15 2021 WL 8532245, at \*1 (N.D. Cal. Oct. 22, 2021) (internal quotations and citations omitted); *see*  
 16 *also Pope v. Fed. Express Corp.*, 974 F.2d 982, 985 (8th Cir. 1992) (“A party introducing a  
 17 motion to recuse carries a heavy burden of proof; a judge is presumed to be impartial and the party  
 18 seeking disqualification bears the substantial burden of proving otherwise.”).

### 19 **III. DISCUSSION**

#### 20 **A. Jurisdiction**

21 Before diving into the merits of the pending motion, the Court addresses jurisdictional  
 22 matters. It is well-established that “[t]he filing of a notice of appeal is an event of jurisdictional  
 23 significance—it confers jurisdiction on the court of appeals and divests the district court of its  
 24 control over those aspects of the case involved in the appeal.” *Griggs v. Provident Consumer*  
 25 *Disc. Co.*, 459 U.S. 56, 58 (1982). As acknowledged by the Ninth Circuit, this is a “judge-made  
 26 doctrine designed to avoid the confusion and waste of time that might flow from putting the same  
 27 issues before two courts at the same time.” *Kern Oil & Refining Co. v. Tenneco Oil Co.*, 840 F.2d  
 28 730, 734 (9th Cir. 1988) (internal quotation marks and citation omitted). Since judgment has been



1 entered and plaintiff has filed an appeal, this Court has been divested of jurisdiction over the  
2 summary judgment order. Jurisdiction continues to exist over post-judgment proceedings  
3 ancillary to issues raised on appeal.

4 To the extent plaintiff is seeking to disqualify the undersigned from post-judgment  
5 proceedings such as cost motions that have not been decided, that request is properly before the  
6 Court. However, plaintiff asks for much more. Plaintiff “moves to vacate entry of the joint  
7 Summary Judgment Order in favor of all Defendants and all subsequent orders thereto.” (Dkt. No.  
8 366 at 1.) Procedurally, the request to vacate the summary judgment order is defective for at least  
9 two reasons.

10 First, the summary judgment order is before the Federal Circuit. The Court has no  
11 authority to vacate the order because the appeal divested it of jurisdiction. Plaintiff should have  
12 filed a motion for an indicative ruling pursuant to Federal Rule of Civil Procedure 62.1. That rule  
13 would permit this Court to defer consideration of the motion, deny it, or state that it would grant it.  
14 Notably, the rule and relevant standard is nowhere within plaintiff’s motion. Even though plaintiff  
15 is not pro se and is proceeding through counsel, the Court generously construes a request for an  
16 indicative ruling into plaintiff’s filing to promote judicial economy for the Court and parties.

17 Second, requests to vacate are made pursuant to Federal Rule of Civil Procedure 60.  
18 Under Rule 60, a district court “may relieve a party or its legal representative from a final  
19 judgment, order, or proceeding for the following reasons: (1) mistake, inadvertence, surprise, or  
20 excusable neglect; (2) newly discovered evidence that, with reasonable diligence, could not have  
21 been discovered in time to move for a new trial under Rule 59(b); (3) fraud (whether previously  
22 called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party; (4) the  
23 judgment is void; (5) the judgment has been satisfied, released or discharged; it is based on an  
24 earlier judgment that has been reversed or vacated; or applying it prospectively is no longer  
25 equitable; or (6) any other reason that justifies relief.” Plaintiff’s vague gestures to Rule 60 in its  
26 motion fails to identify the precise basis upon which it relies to vacate the summary judgment.  
27 Once more, the Court generously construes counsel’s motion as a request to vacate the judgment  
28 “as void” in light of the conflicts asserted.

1 For the reasons addressed below, the motion fails. No conflict or extraordinary  
2 circumstances exist to void the judgment. The Court would also deny the motion if jurisdiction  
3 existed over the summary judgment order.

4 **B. The Motion is Untimely**

5 Another threshold issue, separate and apart from the jurisdictional issues identified, the  
6 Court considers whether plaintiff's motion pursuant to section 455 is timely. *United States v.*  
7 *Rogers*, 119 F.3d 1377, 1380 (9th Cir. 1997). The Court has little difficulty determining that it is  
8 not. This on its own is a sufficient basis to deny plaintiff's motion.

9 Section 455 does not have a statutory deadline. Nevertheless, as the Ninth Circuit has  
10 instructed, "[a]bsent a timeliness requirement, parties would be encouraged to withhold recusal  
11 motions, pending a resolution of their dispute on the merits, and then if necessary invoke section  
12 455 in order to get a second bite at the apple." *Rogers*, 119 F.3d at 1380. Such an open-ended  
13 approach without any measure of deterrence "would result in increased instances of wasted  
14 judicial time and resources and a heightened risk that litigants would use recusal motions for  
15 strategic purposes." *Preston v. United States*, 923 F.2d 731, 733 (9th Cir. 1991). Notably,  
16 "[w]here unexplained delay in filing a recusal motion suggests that the recusal statute is being  
17 misused for strategic purposes, the motion will be denied as untimely." *United States v. Mikhel*,  
18 889 F.3d 1003, 1027 (9th Cir. 2018). Further, "[w]hile no per se rule exists regarding the time  
19 frame in which recusal motions should be filed after a case is assigned to a particular judge, if the  
20 timeliness requirement is to be equitably applied, recusal motions should be filed with reasonable  
21 promptness after the ground for such a motion is ascertained." *Preston*, 923 F.2d at 733. Courts  
22 have also long recognized that waiting to raise the issue until after an unfavorable order was on  
23 appeal is sufficient grounds to deny a motion. *See, e.g., Oglala Sioux Tribe of Pine Ridge Indian*  
24 *Rsrv. v. Homestake Min. Co.*, 722 F.2d 1407, 1414 (8th Cir. 1983) ("[A] timeliness requirement is  
25 appropriate, especially in this case where the Oglala Sioux were aware of the alleged grounds for  
26 disqualification at the time the case was assigned to Judge Bogue, but the suggestion for  
27 disqualification was not raised until this appeal."); *In re United Shoe Mach. Corp.*, 276 F.2d 77,  
28 79 (1st Cir. 1960) ("One of the reasons for requiring promptness in filing is that a party, knowing

1 of a ground for requesting disqualification, cannot be permitted to wait and decide whether he  
2 likes subsequent treatment that he receives.”).

3 Plaintiff’s motion is not reasonably prompt as demonstrated by plaintiff’s own filings.  
4 According to plaintiff’s motion, Fitbit disclosed its affiliation with Google on February 3, 2021  
5 after a well-known merger, by filing its amended certification on the docket. Plaintiff is charged  
6 with knowledge of this document as a user of ECF. Notably, plaintiff’s allegations concerning the  
7 Court’s financial interests and affiliations with Google are based on the undersigned’s 2020  
8 Financial Disclosure. That disclosure was available through the balance of 2021 and 2022. While  
9 plaintiff highlights the 2020 Financial Disclosure, the investments at issue in the motion have been  
10 publicly known since the 2012 Financial Disclosure and have not changed. Remarkably, plaintiff  
11 also extensively relies upon this Court’s Questionnaire for Judicial Nominees to criticize  
12 affiliations with McKinsey. That questionnaire was submitted and has been publicly available  
13 since 2011. Both sources of public information predate Fitbit’s disclosure. While an affiliation  
14 with Ajax developed after that disclosure was filed, plaintiff’s own motion and evidence  
15 demonstrate that the undersigned’s husband was in the position nine months prior to the motion  
16 being brought and that at a minimum plaintiff knew of the position in November (roughly one  
17 month prior to substantially commencing appeal). As set forth below, this is immaterial since  
18 there are no financial interests or affiliations related to these proceedings.

19 Despite these public disclosures, plaintiff sat on the motion and strategically litigated this  
20 case through summary judgment. This is a dispositive fact the reply brief ignores in its entirety.<sup>6</sup>  
21 After appealing that ruling, filing an opening brief on appeal, and triggering the defendants’  
22 obligation to respond to the appeal, plaintiff then filed the present motion before the Court. There  
23 is little doubt that filing the motion nearly seven months after judgment was entered and after an  
24 appeal has been substantially commenced is gamesmanship. Indeed, plaintiff’s blanket request to  
25 vacate the judgment as to *all defendants*, not just Fitbit, illuminates plaintiff’s true intention of

---

26  
27 <sup>6</sup> Plaintiff raises a futile argument that it did not know the Federal Circuit was going to  
28 decide *Centripetal Networks* until 2022. The inference plaintiff seeks to make is that the decision  
substantially altered the legal landscape. As explained *infra*, that decision has no bearing on this  
motion.

1 securing an unwarranted second bite at the apple.

2 The procedural deficiencies of the motion are replete. First, it was only filed in the action  
3 concerning Fitbit even though separate judgments were issued as to each defendant in each  
4 underlying action and relief was sought against all. Second, the motion also fails to include a  
5 notice of motion as required by Civil Local Rule 7-2(b).<sup>7</sup> This requirement exists to alert non-  
6 movants of their rights and obligations with respect to the movant’s assertions. Failing to comply  
7 is significant. Consideration of the defendants’ oppositions highlight the concern.

8 Third, proper motion practice requires identification of supporting evidence, not present  
9 here. Throughout these proceedings, plaintiff has cited extensively to voluminous documents  
10 without explanation and proper pincites. The Court noted as much in the summary judgment  
11 order: “Cellspin’s citations to swaths of documents without explanation does not create a genuine  
12 dispute of material fact.” (Dkt. No. 331 at 2:12-13.) Despite the admonishment, plaintiff’s  
13 counsel has once again submitted approximately 1500 pages in connection with the motion.  
14 Plaintiff makes broad string cite references to its exhibits without any pincites. This sends the  
15 Court and defendants on a fishing expedition to identify the relevance of a document that is not  
16 always apparent. As noted below, some of the documents cited do not exist, others are illegible  
17 copies,<sup>8</sup> and many more do not stand for the proposition asserted even under a liberal construction.  
18 Finally, plaintiff has not submitted any declaration to justify its lack of diligence, and instead,  
19 once again relies upon misplaced attorney argument divorced from fact and law.

20 For these reasons, the motion is untimely and can be denied.

21 **C. Purported Bases for Recusal**

22 Substantial justification exists to deny the motion on procedural grounds and the Court  
23

---

24 <sup>7</sup> Under controlling rules, motions in this District must contain a notice that includes the  
25 date and time of a hearing, as well as “a concise statement of what relief or Court action the  
26 movant seeks.” Civ. L.R. 7-2(b)(1)-(3).

27 <sup>8</sup> Plaintiff appreciated that substantial portions of its initial filing were illegible and filed a  
28 correction without withdrawing the original set of exhibits. (Dkt. No. 371.) Rather than create a  
legible filing in the first instance, plaintiff’s correction required the Court to evaluate two sets of  
exhibits to verify the information being provided and discern why they were being corrected.

1 does not need to reach the accusations raised. Nonetheless, to promote transparency and maintain  
 2 the Court’s credibility in light of plaintiff’s sweeping assertions, the Court addresses the plaintiff’s  
 3 accusations and evidentiary submission at great lengths. In short, the accusations have no merit.  
 4 The order addresses affiliations with McKinsey and Ajax that are unrelated to these proceedings,  
 5 as well as the Court’s independent financial investments.

6 *1. Affiliations with McKinsey*

7 The Court begins by addressing whether the undersigned’s prior familial affiliations with  
 8 McKinsey have created financial interests in this case or create a reasonable appearance of  
 9 impartiality to justify recusal in this case. They do not.

10 Plaintiff writes that the undersigned’s husband consults in the oil, gas, and energy sectors  
 11 as a Senior Partner at McKinsey, where he has authored over 20 articles related to the oil and gas  
 12 industries. From there, plaintiff asserts that McKinsey has a strategic partnership with Google and  
 13 has teamed up with Google to assist clients in the oil, gas, and energy sectors as demonstrated by  
 14 various McKinsey blog postings. Highlighting one such partnership, which is not directly tied to  
 15 the undersigned’s husband (even on information and belief), plaintiff alleges that McKinsey  
 16 assisted an energy sector client in avoiding more forest fires and associated power outages in  
 17 California after the wake of the Dixon Fire in 2021.<sup>9</sup> According to the plaintiff “being a senior  
 18 partner at McKinsey & Company . . . doing substantial business with Google looks inappropriate  
 19 for Google to appear before [the undersigned]. Google and [the undersigned’s] husband’s firm  
 20 provide for profit joint solutions to their clients, which creates the objective appearance that [the  
 21 undersigned] would be biased in favor of Google.” (Dkt. No. 366 at 8.) For the first time in reply,  
 22 plaintiff asserts that the undersigned’s husband sells Google services and that “his pay and bonus  
 23 is dependent on his client’s satisfaction and success through the use of Google services.” (Dkt.  
 24 No. 375 at 12.) Plaintiff’s evolving theory for recusal is nothing but unsubstantiated speculation  
 25

---

26  
 27 <sup>9</sup> The Court notes that the motion references Exhibit 5a to support this factual assertion.  
 28 This appears to be missing from the record. Ultimately, this is immaterial because plaintiff has  
 not demonstrated that the undersigned’s husband had any involvement with this project, nor is the  
 Court aware of any of the work alleged.



1 divorced from any evidence.

2 First, the Court clarifies that the undersigned's husband has not been a Senior Partner at  
3 McKinsey since July 31, 2021. This is eleven months prior to the summary judgment order being  
4 issued in this case. Plaintiff's selective quote of the undersigned's nomination disclosures to  
5 justify recusal does not persuade. The May 2011 disclosure provided in full: "[m]y husband is a  
6 senior partner at McKinsey. Matters relating to McKinsey and, more broadly, *to my husband's*  
7 *primary clients* would also likely require recusal." (Emphasis supplied.) This disclosure differs  
8 significantly from plaintiff's reconstruction in its motion which claims that the undersigned  
9 "disclosed that if a 'primary' client of her husband's consulting firm, McKinsey, became a party  
10 before her, she would have to recuse herself." (Dkt. No. 366 at 4.) In short, McKinsey has never  
11 been a party to these proceedings. Despite the substantial commentary available online that the  
12 plaintiff leverages in its motion, the plaintiff did not, *and cannot*, point to a single instance tying  
13 the undersigned's husband to a Google project or partnership, including without limitation any  
14 related to Fitbit or a party in these proceedings. None exists. Nor has plaintiff proffered any  
15 admissible evidence that Google was a client, let alone a primary client or partner, of the  
16 undersigned's husband and that he profited from such a relationship. No such evidence exists.  
17 Nor does any evidence exist that the parties to this infringement action were clients of my husband  
18 in any capacity that would support recusal.<sup>10</sup>

19 In short, plaintiff carries a heavy burden to justify disqualification. It has failed to  
20 demonstrate that the undersigned or her husband have a material financial stake in the outcome of  
21 this case due to McKinsey's affiliations with Google and there is no other reason why the  
22 undersigned's impartiality might reasonably be questioned.<sup>11</sup> The motion is denied on this basis.

23 \_\_\_\_\_  
24 <sup>10</sup> As a matter of practice, the Court consistently recuses on all matters that have  
25 concerned my husband's clients and this case would be no exception were there any basis to do so.

26 <sup>11</sup> The motion sets forth essentially no foundation for alleged partnerships or projects  
27 concerning the undersigned's husband. At most, it appears that Google was one of several cloud-  
28 based service providers for McKinsey, providing services as part of the regular course of business.  
Consistent with Advisory Opinion 107, when a "service provider's transactions with the judge's  
spouse or the spouse's business are in the regular course of business, routine in nature, and are

2. *Affiliations with Ajax*

Next, plaintiff alleges that the undersigned's husband has obtained financial benefits from Google since at least March of 2022 through his role as Operations Partner at Ajax. The motion as presented raises two categories of affiliations to suggest that recusal is proper. First, the motion alleges that the undersigned's husband has overseen the operations of three start-up companies funded by Google since at least March of 2022. This specifically includes: (1) Planet Labs, Inc. ("Planet Labs"); (2) Natel Energy ("Natel"); and (3) Ripple Foods. Second, the motion alleges that the undersigned's husband has handled several strategic partnerships with Google in his role as Operations Partner. These partnerships include (1) Lime; (2) Voltus; (3) Streetlight Data; (4) Descartes Lab; and (5) Regrow. Again, this argument is frivolous, lacks any merit, and makes substantial misrepresentations of the record provided.

To begin, it is true that the undersigned's husband has been an Operations Partner at Ajax since April 2022. However, plaintiff seeks to create an inference that the undersigned's husband has equity in Ajax based solely on the title "Operations Partner." Plaintiff is wrong. The undersigned's husband is a contractor for Ajax with no equity in any Ajax portfolio.

In his role as an Operations Partner, he represents Ajax's interests by serving on the board of Natel and as a board advisor to another company not implicated in the motion.<sup>12</sup> These are his only engagements. Despite plaintiff's bald accusations, the undersigned's husband has no interest or relationship with Lime, Voltus, Streetlight Data, Descartes Lab, Regrow, and Ripple Foods. Planet Labs, which is identified in the motion, is one of approximately sixty customers of Natel's software business. He has no equity interest in Planet Labs, at most his affiliation is attenuated.<sup>13</sup>

---

unaccompanied by special circumstances suggesting that the selection of the spouse or spouse's business may have been influenced by the judge's position, recusal is ordinarily not required." This applies with equal force here. Adopting plaintiff's contrary theory would mean the undersigned is required to recuse anytime a business integrates something as simple as a Google search into its internal platforms. No authority supports such a grasping theory.

<sup>12</sup> In furtherance of transparency, the company is Ojjo. The undersigned knows of no affiliations with Google, Ojjo, and other parties in this case that would justify recusal.

<sup>13</sup> While the foregoing is sufficient to dispense of the motion with respect to all Ajax

1 Other evidentiary submissions are similarly deficient. One, to create the appearance of a  
 2 non-existent personal interest to Ripple Foods, plaintiff relies upon a July 14, 2016, article from  
 3 AgFunder Network Partners to note that Ripple Foods raised \$30 million from Google and other  
 4 investors. Per plaintiff's own evidence, this alleged conduct pre-dates the undersigned's  
 5 husband's tenure by approximately six years. No evidence supports any personal affiliation  
 6 because none exists. Two, with respect to Streetlight Data, the sole exhibit relied upon is from  
 7 April 7, 2020, which would predate any personal affiliation with Ajax by two years. No evidence  
 8 supports any personal affiliation because none exists. Three, with respect to Lime's nexus to  
 9 Ajax, plaintiff relies upon a blog post from Lime that apparently touts the benefits it obtains from  
 10 Google. No evidence supports any personal affiliation because none exists. Four, as to Descartes  
 11 Lab, Regrow, and Voltus, no evidence supports any personal affiliation because none exists.

12 Once more, plaintiff carries a heavy burden to justify disqualification. Relying on nothing  
 13 but speculation, it has failed to demonstrate that the undersigned or her husband have a material  
 14 financial stake in the outcome of this case due to Ajax's affiliations and there is no other reason  
 15 why the undersigned's impartiality might reasonably be questioned. The motion is denied on this  
 16 basis.

17  
 18  
 19  
 20 \_\_\_\_\_  
 21 affiliations, the Court makes note of additional attenuated arguments for recusal that fail to  
 22 persuade. First, plaintiff speculates that Natel's foundation was improper and bears on this  
 23 litigation. This is false. Natel was funded in 2009 by a grant from the U.S. Department of Energy  
 24 ("DOE"), which overlaps with the undersigned's husband's tenure as senior advisor to the U.S.  
 25 Secretary of Energy. The undersigned's husband had no personal involvement with awarding a  
 26 grant to Natel. However, the DOE's funding of Natel from a decade prior is so attenuated, recusal  
 27 is not warranted, and the nexus to these proceedings is speculative at best. Attenuated speculation  
 28 is insufficient to support recusal.

29  
 30 Second, plaintiff relies on a "Power Technology" article to suggest that Natel was funded  
 31 by Google in November 2019. Not only was the article dated over two years before any  
 32 connection to Ajax, plaintiff misrepresents the substance of the article. As noted, plaintiff  
 33 represents that Google funded Natel as shown by the article. However, the article only indicates  
 34 that Google funded eleven start-ups. Unrelated to this funding, the article then proceeds  
 35 generically to describe five companies that received funding during the COVID-19 pandemic,  
 36 including Natel. According to the article, Natel secured funding from two venture funds. It does  
 37 not establish that Google invested in Natel. The undersigned and her husband have no knowledge  
 38 of any investment by Google into Natel.

3. *Financial Investments*

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

Lastly, plaintiff criticizes the Court for three investments that the undersigned has disclosed since her nomination to the bench in 2011. These include a Vanguard 500 Index Fund, a Vanguard Total International Stock Index Fund, and the Special Situations Fund. Each is addressed in turn.

a. *Vanguard Funds*

Given the substantial overlap concerning the Vanguard 500 Index Fund and Vanguard Total International Stock Index Fund, the Court addresses both together. According to the plaintiff, Google is a Top 10 holding in the Vanguard Index Fund and public sources confirm that it includes significant shares of Nike, Under Armour, Garmin, and Fossil. As to the Vanguard Total International Stock Index, plaintiff alleges that it is publicly known that Samsung and Nikon are significant holdings, and this is significant since Under Armour's accused devices are made by Samsung. With respect to each fund, plaintiff argues that the undersigned somehow actively manages the investments. Ultimately, this argument is divorced from law and fact, and does not justify recusal.<sup>14</sup>

As set forth above, judges must disqualify themselves from a case where it is known that the judge or his or her spouse has "a financial interest in the subject matter in controversy or in a party to the proceeding[.]" 28 U.S.C. § 455(b)(4). However, the same statutory scheme expressly provides that "[o]wnership in a mutual or common investment fund that holds securities is not a 'financial interest' in such securities unless the judge participates in the management of the fund." 28 U.S.C. § 455(d)(4)(i). Similarly, Canon 3C(1)(c) of the Judicial Code of Conduct applicable to judges requires disqualification when the judge knowingly "has a financial interest in the subject matter in controversy or in a party to the proceeding," or when the judge has "any other interest that could be affected substantially by the outcome of the proceeding." Again, pursuant to Canon

---

26  
27  
28

<sup>14</sup> Plaintiff argues in reply that the defendants should have affirmatively denied the undersigned's financial relationships to aid public perception. Again, the attorney argument, which is devoid of any citation to legal authority, is inconsistent with law placing a heavy burden on plaintiff as the party seeking recusal. Despite having no obligation to respond, defendants went to great lengths to debunk plaintiff's new conspiracy to evade appeal. The truth prevalent in those oppositions is one the plaintiff ignores in lodging new criticism at the defendants.

1 3C(3)(c)(i), “ownership in a mutual or common investment fund that holds securities is not a  
2 ‘financial interest’ in such securities unless the judge participates in the management of the fund.”  
3 What qualifies as a “mutual or common investment fund” is not defined. While not binding, the  
4 Committee on Codes of Conduct Advisory Opinion No. 106 is instructive.<sup>15</sup> That opinion lists six  
5 factors for consideration: “(1) the number of participants in the fund; (2) the size and diversity of  
6 fund investments; (3) the ability of participants to direct their investments; (4) the ease of access to  
7 and frequency of information provided about the fund portfolio; (5) the pace of turnover in fund  
8 investments; and (6) any ownership interest investors have in the individual assets of the fund.”  
9 Moreover, “most mutual funds that are registered with the Securities and Exchange Commission  
10 and sold to the public as mutual funds will likely meet the criteria above.” (*Id.*)

11 Based upon undisputed facts,<sup>16</sup> the Vanguard investments at issue are prototypical  
12 examples falling into the safe harbors for mutual or common investment funds. Both are  
13 registered with the SEC and are sold as mutual funds. Each has separate portfolio managers. Both  
14 funds are also diversified and extremely large. For instance, the Vanguard 500 Index Fund  
15 investments in over 500 stocks across different sectors of the economy. The reach of the  
16 Vanguard Total International Stock Index Fund is global, with almost 8,000 stocks across myriad  
17 markets and sectors. Investors in both funds do not obtain any ownership interests in the funds’  
18 underlying assets, including by directly holding the stocks. Furthermore, despite plaintiff’s bald  
19 and self-serving suggestion, the undersigned does not manage, direct, or control the funds’  
20 investments. Both funds clearly fall within the safe harbor exemption.

21 Plaintiff has not proffered any legal authority to support its illusory assertion that the  
22 investments at issue here are somehow not exempt, especially considering that the undersigned  
23 has no control over the management of the large and extremely diversified portfolios. Instead,  
24 plaintiff places substantial reliance on the Federal Circuit’s recent decision in *Centripetal*

---

25  
26 <sup>15</sup> See Guide to Judiciary Policy, Vol. 2, Pt. B, Sec. 106,  
[https://www.uscourts.gov/sites/default/files/guide-vol02b-ch02\\_0.pdf](https://www.uscourts.gov/sites/default/files/guide-vol02b-ch02_0.pdf).

27 <sup>16</sup> To the extent the parties’ papers ask for the Court to take judicial notice of public  
28 information concerning the funds at issue, those requests are granted. The documents are given  
their appropriate weight.



1 *Networks, Inc. v. Cisco Systems, Inc.*, 38 F.4th 1025 (2022), which is far removed from the  
 2 circumstances here. In *Centripetal Networks*, a spouse of the judge *directly* held stock in one of  
 3 the parties to the case and the judge continued to preside over the case once it became known that  
 4 the spouse had a *direct* interest. *Id.* at 1028-30. Disclosing that interest and placing the stocks in a  
 5 blind trust *after the fact* did not spare the judge from recusal. *Id.* The Federal Circuit had no issue  
 6 finding that the direct stock ownership was a financial interest that required disqualification or  
 7 divestment, and that the district court ran afoul of its statutory obligations by continuing to hold  
 8 that known interest during the proceedings. Here, there is no “financial interest” within the  
 9 meaning of section 255 because the investments are exempt funds precluding the undersigned  
 10 from directly holding stocks of any party to these proceedings.<sup>17</sup> Notably, plaintiff’s papers ignore  
 11 that courts have been in accord in reaching the same finding with respect to Vanguard funds.<sup>18</sup>  
 12 There is no reason to reach a contrary result now.

13 Echoing prior findings, the undersigned has no material financial stake in the outcome of

---

15 <sup>17</sup> Plaintiff argues that the Court must hold stocks in its investments because the Court  
 16 recused itself without explanation in *Geographic Location Innovations, LLC v. Health Mart*  
 17 *Systems, Inc.*, No. 21-cv-05155-YGR, Dkt. No. 21 (N.D. Cal. 2021). According to the plaintiff,  
 18 the Court must have recused because a defendant disclosed that it was owned by McKesson  
 Corporation and McKesson is listed in the funds. The prior recusal did not concern any financial  
 interest.

19 <sup>18</sup> *See, e.g., David v. GMAC Mortg., LLC*, No. C11-2914 PJH, 2011 WL 6078272, at \*1  
 20 (N.D. Cal. Dec. 6, 2011) (concerning Vanguard 500 Index Fund); *Arunachalam v. Pazuniak*, No.  
 21 14-cv-05051-JST, Dkt. Nos. 57 at 6 and 57-2 (N.D. Cal. Jan. 08, 2015) (identifying Vanguard  
 22 investments in motion papers); *Arunachalam v. Pazuniak*, No. 14-cv-05051-JST, 2015 WL  
 23 12839126, at \*1-2 (N.D. Cal. Feb. 9, 2015) (finding funds within safe harbor); *Pi-Net Int’l, Inc. v.*  
 24 *Citizens Fin. Grp., Inc.*, No. 12-cv-355-RGA, 2015 WL 1283196, at \*4 (D. Del. Mar. 18, 2015)  
 25 (concerning Vanguard Institutional Index); *Bank of Am., N.A. v. Martinson*, No. 10-cv-10-WMC,  
 26 2013 WL 12234207, at \*1 (W.D. Wis. Jan. 3, 2013) (concerning Vanguard Institutional Index);  
 27 *Huebner v. Midland Credit Mgmt.*, No. 14-6046, 2015 WL 1966280, at \*3 (E.D.N.Y. May 1,  
 28 2015) (concerning Vanguard Group, Inc. portfolios).

25 In order to create an impression that judicial ethics have been substantially over-hauled to  
 26 cast doubt on this line of authority, plaintiff relies upon the passage of the Courthouse Ethics and  
 27 Transparency Act, Pub. L. No. 117-125, 136 Stat. 1205 (2022), which generally modified the  
 28 accessibility and timeliness of financial disclosures and potential conflicts of interest. The  
 backdrop to this law was the failure of certain judges to disclose direct stock holdings in cases  
 where they presided. However, the law did not change section 455. The undersigned holds no  
 such interests that would have required further disclosure in these proceedings and has timely filed  
 financial disclosures consistent with the undersigned’s obligations.

1 this case because of the Vanguard investments and there is no other reason why her impartiality  
2 might reasonably be questioned. The motion for recusal is denied on this basis.

3 *b. Special Situations Fund*

4 Finally, plaintiff notes that the undersigned's 2020 Financial Disclosure identifies the  
5 Special Situations Fund as an investment. In short, plaintiff asserts that the Special Situations  
6 Fund is opaque and that "[a] huge portion of this opaque investment could be in Big Tech stocks  
7 like the defendants in this case." (Dkt. No. 366 at 23.) Because of this investment, plaintiff  
8 argues that the Court should be recused from this case and all other "Big Tech" cases. Again, this  
9 argument fails.

10 To begin, the Court sets aside the obvious point that plaintiff does not have standing to  
11 challenge the undersigned's ability to preside over other cases. While plaintiff has no actual  
12 evidence and proffers only speculation, the Court notes for transparency purposes that the Special  
13 Situations Fund is managed by the McKinsey Investment Office ("MIO") and functions in essence  
14 like a mutual fund where the undersigned has no knowledge or control of the investments being  
15 made. The only choice is deciding how much to invest.

16 Pursuant to MIO's public website, it is "a subsidiary of McKinsey & Company and a  
17 registered investment adviser regulated by the Securities and Exchange Commission in the US,"  
18 and it "invest[s] the retirement assets for the global McKinsey pension plans."<sup>19</sup> Of note, "MIO's  
19 investment operations are intentionally separated from McKinsey's consulting operations. *MIO*  
20 *does not trade individual stocks or bonds of any public or private company anywhere in the world,*  
21 *except in the specific case of credit-default swaps for counterparty hedging. Our macro trading*  
22 *strategies involve trading in major asset classes such as sovereign debt, commodities, foreign*  
23 *exchange, equity indices, and credit indices." (Emphasis supplied.) Thus, investors such as the*  
24 *undersigned do not directly own stocks, however, like the Vanguard funds discussed above,*  
25 *individual unknown funds within the Special Situations Fund may separately hold securities.*  
26 *Investors do not directly hold public stocks, do not have knowledge of the particular assets that the*

27  
28 <sup>19</sup> See <https://miopartners.com/>.

United States District Court  
Northern District of California

1 fund invests in, are denied access to that information when requested, and have no influence on the  
2 assets that are pursued. The undersigned and her husband have no control over the fund, have no  
3 reason to question the public representations made by MIO on its website, and have no knowledge  
4 of any underlying assets directly being held in our names. Thus, plaintiff’s suggestion that the  
5 fund lacks any public transparency and is comprised of the defendants’ stock is misplaced.<sup>20</sup> The  
6 examples outlined in Advisory Opinion No. 106 further demonstrate that investments into a  
7 mutual fund such as this is appropriate where there is no information available to investors about  
8 the assets and there is no direct control in the investments.

9 Again, the undersigned has no material financial stake in the outcome of this case because  
10 of the Special Situations Fund and there is no other reason why her impartiality might reasonably  
11 be questioned. The motion for recusal is denied on this basis.


12 **IV. CONCLUSION**

13 As is demonstrated by this Order, the pending motion lacks any substantive basis tethered  
14 to law or fact to support recusal or vacatur. Thus, one can only surmise that plaintiff and its  
15 lawyers brought the motion for tactical advantage. The Court will not reward such conduct. The  
16 motion is denied.

17 This Order terminates Docket Number 366.

18  
19 **IT IS SO ORDERED.**

20  
21 Dated: February 15, 2023

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE

22  
23  
24  
25  
26 <sup>20</sup> Plaintiff suggests that holding this investment is improper because a nominee agreed to  
27 divest her interest in the fund in connection with her confirmation to the Office of Management  
28 and Budget (“OMB”). The relevance for plaintiff’s theory is attenuated. OMB personnel are not  
governed by section 455 or the Judicial Code of Conduct, a point plaintiff concedes in reply. In  
fact, the evidence relied upon confirms that the nominee was not provided with information  
concerning assets when requested.