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LOCAL.COM CORPORATION

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

LOCAL.COM CORPORATION, a Delaware Corporation. Plaintiff, v. FRY'S ELECTRONICS, INC., a California Corporation. Defendant.	Case No. 12-CV-0976 JGB (JPRx) **JOINT STIPULATION RE: CASE SCHEDULING**
FRY'S ELECTRONICS, INC., a California Corporation. Counterclaim Plaintiff, v. LOCAL.COM CORPORATION, a Delaware Corporation. Counterclaim Defendant.	

Plaintiff Local.com Corporation ("Local.com") and Defendant Fry's Electronics, Inc. ("Fry's"), through their undersigned attorneys, hereby state and stipulate as follows:

WHEREAS, this case was originally assigned to the Hon. Judge Cormac J. Carney;

WHEREAS, in a Scheduling Order dated December 14, 2012 (Dkt. No. 13), Judge Carney set a Final Pretrial Conference for June 3, 2013, and set trial for June 11, 2013;

WHEREAS, Judge Carney's Scheduling Order also a discovery cut-off of March 1, 2013;

WHEREAS, in an Order of the Chief Judge dated January 11, 2013 (Dkt. No. 15), Hon. Chief Judge George H. King transferred this case to this Court;

WHEREAS, in an order dated May 17, 2013, this Court continued the final pretrial conference to June 10, 2013 and continued the trial date to July 2, 2013 (Dkt. No. 39);

WHEREAS, the parties believe that fairness and justice would be served by continuing the final pretrial conference and the trial date. In particular, the parties believe that significant, potentially dispositive issues could be resolved by way of briefing and a hearing regarding the construction of the claims set forth in the patent in suit in accordance with *Markman v. Westerview Instruments, Inc.*, 517 U.S. 370 (1996). Finally, the parties believe that, after the Court construes key claim terms, they will be in a better position to discuss settling the case in its entirety.

THEREFORE, the parties stipulate as follows:

The Court should convert the final pretrial conference, currently scheduled for June 10, 2013, at 11:00 a.m., into a status conference at which the Court and the parties can discuss a schedule for *Markman* briefing and oral argument. The Court should furthermore take the trial date of July 2, 2013 off calendar pending

the Court's entry of a new trial date after the Court has an opportunity to hear from the parties at the June 10, 2013, status conference.

DATED: May 28, 2013

LATHROP & GAGE LLP

By: /s/ John Shaeffer
JOHN SHAEFFER
JEFF GRANT
Attorneys for Plaintiff
Local.com Corporation

DATED: May 28, 2013

KU & FONG

By: /s/ H.G. Robert Fong
H. G. Robert FONG
Attorneys for Defendant
Fry's Electronics, Inc.