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26 MARK SUHY

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19 NEO4J, INC., a Delaware corporation,  
20 NEO4J SWEDEN, AB, a Swedish  
21 corporation,

22 Plaintiffs,

23 v.

24 PURETHINK LLC, a Delaware limited  
25 liability company, IGOV INC., a Virginia  
26 corporation, and JOHN MARK SUHY, an  
27 individual,

28 Defendants.

29 AND RELATED COUNTERCLAIMS.

30 CASE NO. 5:18-cv-07182-EJD

31 **STIPULATION AND [PROPOSED]  
32 ORDER FOR MODIFICATION OF  
33 BRIEFING SCHEDULE ON MOTION TO  
34 DISMISS DEFENDANTS' FIRST CAUSE  
35 OF ACTION IN THEIR THIRD  
36 AMENDED COUNTERCLAIM**

37 **[Civil L.R. 6-2 and 7-12]**

38 Date: April 27, 2023  
39 Time: 9:00 a.m.  
40 Dept.: Courtroom 4, 5<sup>th</sup> Floor

41 Judge: Hon. Edward J. Davila

42 Trial Date: November 14, 2023

## **STIPULATION**

This Stipulation is made between Plaintiffs Neo4j, Inc. and Neo4j Sweden AB (collectively “Plaintiffs”) and Defendants PureThink LLC, iGov Inc. and John Mark Suhy (collectively, “Defendants”). Plaintiffs and Defendants (collectively, the “Parties”) HEREBY STIPULATE through their respective counsel to a modification of the briefing schedule on Plaintiffs’ Motion to Dismiss Defendants’ First Cause of Action in Their Third Amended Counterclaim (“Motion to Dismiss”) as follows:

WHEREAS, Plaintiffs filed their Motion Dismiss (Dkt. No. 171) on February 9, 2023.

WHEREAS, pursuant to Civ. L.R. 7-3(a), Defendants' opposition is presently due February 23, 2023.

WHEREAS, Presidents' Day, which is federal holiday presently falls with the time for Defendants to prepare and file their opposition.

WHEREAS, if Defendants were to file their opposition on February 23, 2023, Plaintiffs' reply brief would be due on March 2, 2023 pursuant to Civ. L.R. 7-3(c).

WHEREAS, the attorney for Plaintiffs who will be responsible for drafting the reply brief in response to Defendants' opposition has a previously scheduled vacation during the time Plaintiffs would have to prepare and file that reply brief.

WHEREAS, to accommodate these scheduling issues, the Parties agree that the deadline to file Defendants' opposition should be extended from February 23, 2023 to March 2, 2023, and the deadline to file Plaintiffs' reply brief should be extended to March 16, 2023.

WHEREAS, the hearing on the Motion to Dismiss is currently set for April 27, 2023.

WHEREAS, the respective extensions on the Parties' remaining briefs will still provide the Court with 42 days before the hearing to review the Parties' respective papers after they are submitted, and thus is still in compliance with the minimum time required by Civ. L.R. 7-3(a).

WHEREAS, the requested time modification will have no effect on the schedule for the case other than as stated herein.

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1 IT IS HEREBY STIPULATED THAT:

2 1. Defendants shall have until March 2, 2023 to file their opposition to Plaintiff's  
3 Motion to Dismiss.

4 2. Plaintiffs shall have until March 16, 2023 to file their reply to Defendants'  
5 opposition to the Motion to Dismiss.

6 Dated: February 15, 2023

HOPKINS & CARLEY  
A Law Corporation

7 By: /s/ Jeffrey M. Ratinoff

8 John V. Picone III  
9 Jeffrey M. Ratinoff  
10 Attorneys for Plaintiffs and  
11 Counter-Defendants  
12 NEO4J, INC. and NEO4J SWEDEN AB

13 Dated: February 15, 2023

/s/ Adron W. Beene

14 Adron W. Beene  
15 Adron G. Beene  
16 Attorneys for Defendants and Counter-  
17 Claimants  
18 PURETHINK LLC, IGOV INC., and  
19 JOHN MARK SUHY

20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

21 Dated: \_\_\_\_\_

22 EDWARD J. DAVILA  
23 United States District Court Judge

## ATTESTATION OF E-FILED SIGNATURE

Pursuant to Local Rule 5-1(i)(3), I hereby certify that I have obtained the concurrence in the filing of this document from all signatories for whom a signature is indicated by a “conformed” signature (/s/) within this electronically filed document and I have on file records to support this concurrence for subsequent production to the Court if so ordered or for inspection upon request.

Dated: February 15, 2023

HOPKINS & CARLEY  
A Law Corporation

By: /s/ Jeffrey M. Ratinoff

John V. Picone III  
Jeffrey M. Ratinoff  
Attorneys for Plaintiffs and  
Counter-Defendants  
NEO4J, INC. and NEO4J SWEDEN AB