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22 Attorneys for Plaintiff, CH₂O, Inc.

23 UNITED STATES DISTRICT COURT

24 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

25 CH₂O, INC.,

26 Plaintiff,

27 v.

28 MERAS ENGINEERING, INC.;
HOUWELING'S NURSERIES
OXNARD, INC.; HNL HOLDINGS
LTD.; HOUWELING UTAH
OPERATIONS, INC.; and
HOUWELING'S NURSERIES LTD.,

Defendants.

Case No. CV-13-8418 JAK (GJSx)

**PLAINTIFF CH₂O, INC.'S NOTICE
OF ARGUMENT BY JUNIOR
ATTORNEYS**

Date: March 6, 2017
Time: 8:30 a.m.
Courtroom: 750
Hon. John A. Kronstadt

1 Counsel for Plaintiff CH₂O writes to inform the Court that Plaintiff intends to
2 have two junior lawyers argue some of the post-trial motions to be argued at the March
3 6 hearing scheduled in this matter.

4 As a number of courts have recognized, “in today’s practice of law, fewer cases
5 go to trial and there are generally fewer speaking opportunities in court, particularly
6 for young lawyers (*i.e.*, lawyers practicing for less than seven years).” *See, e.g.*,
7 *Secured Structures, LLC v. Alarm Security Group, LLC*, Civ. Act. No. 6:14-CV-930
8 (E.D. Tex., Mitchell, J., Jan. 22, 2016) (available at
9 [http://nextgenlawyers.com/files/Judge-K-Nicole-Mitchel-EDTX-Order-](http://nextgenlawyers.com/files/Judge-K-Nicole-Mitchel-EDTX-Order-Jan2016.pdf)
10 [Jan2016.pdf](http://nextgenlawyers.com/files/Judge-K-Nicole-Mitchel-EDTX-Order-Jan2016.pdf)); *see also* [http://chipsnetwork.org/wp-content/uploads/2016/02/Judicial-](http://chipsnetwork.org/wp-content/uploads/2016/02/Judicial-Orders-re-Next-Gen-3-9-16.pdf)
11 [Orders-re-Next-Gen-3-9-16.pdf](http://chipsnetwork.org/wp-content/uploads/2016/02/Judicial-Orders-re-Next-Gen-3-9-16.pdf); www.nextgenlawyers.com (judicial orders). As
12 former Judge Grewal of the Northern District of California recognized, this trend
13 raises a serious question: “who will try the technology cases of the future, when so
14 few opportunities to develop courtroom skills appear? It is difficult to imagine
15 handing entire intellectual property trials to a generation that never had the chance to
16 develop those skills in more limited settings.” *GSI Tech., Inc. v. United Memories,*
17 *Inc.*, Case No. 5:13-cv-01081-PSG, Order Re: Oral Argument (N.D. Cal. Mar. 9,
18 2016) (ECF No. 1112) (available at [http://nextgenlawyers.com/files/GSI-V-United-](http://nextgenlawyers.com/files/GSI-V-United-Memories.pdf)
19 [Memories.pdf](http://nextgenlawyers.com/files/GSI-V-United-Memories.pdf)).

20 Fish & Richardson is a proud leader of the Next Gen Committee, dedicated to
21 creating opportunities for junior lawyers to develop their “stand up” skills. A number
22 of courts now encourage parties to be mindful of opportunities for young lawyers to
23 argue in court. *E.g.*, Scheduling Order Specifying Procedures (Guilford, J.) (“The
24 Court strongly encourages the parties to give young associate lawyers the chance to
25 examine witnesses and fully participate in trial (and throughout the litigation!)”);
26 Guidelines for Final Pretrial Conference in Bench Trials Before District Judge Lucy
27 H. Koh ¶ G (Jan. 3, 2011); Standing Order Regarding Courtroom Opportunities For
28

1 Relatively Inexperienced Attorneys (Talwani, J.) (D. Mass. Oct. 9, 2015) (all
2 available at <http://nextgenlawyers.com/>).

3 Plaintiffs respectfully notify the Court that they intend to have second year
4 associate Oliver Richards and seventh year associate Joanna Fuller argue certain
5 motions at the upcoming hearing for post-trial motions. Mr. Richards was the primary
6 drafter of the post-trial briefs and is intimately familiar with the issues and the record
7 in this case. Ms. Fuller was a member of CH₂O's trial team and has been involved in
8 all aspects of this case since nearly the beginning.

9 Given the importance of the issues to be argued, Plaintiffs respectfully request
10 that more experienced counsel be able to assist in the arguments should the need arise.

11
12 Dated: February 7, 2017

FISH & RICHARDSON P.C.

13 By: /s/ Andrew R. Kopsidas

14 Andrew R. Kopsidas

15 kopsidas@fr.com

16 Attorneys for Plaintiff, CH₂O, INC.

1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that a true and correct copy of the above and
3 foregoing document has been served on February 7, 2017 to all counsel of record
4 who are deemed to have consented to electronic service via the Court's CM/ECF
5 system. Any other counsel of record will be served by electronic mail and regular
6 mail.

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8 /s/ Andrew R. Kopsidas
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10 kopsidas@fr.com
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