

1 3. Prior to filing this breach of contract case against Neodron, Microsoft filed an
2 arbitration against Neodron and Microchip Technology, Inc. that involve similar, but distinct
3 issues to those in this action. As part of that arbitration, which is still pending, Neodron produced
4 documents and made statements that Microsoft asserts are relevant to this action, including
5 documents that Microsoft asserts it needs to respond to Neodron's motion to dismiss. While
6 Neodron does not agree that any such information is relevant or appropriate in opposing Neodron's
7 motion to dismiss, Neodron nevertheless does not oppose the request to use that information in the
8 manner described in this stipulation, while reserving all rights and arguments concerning the
9 procedural and substantive relevance of such information.

10 4. In order to allow the Parties to use information that Microsoft asserts is needed to
11 adequately brief the pending motion to dismiss, the Parties agree that any information exchanged
12 by them in the above-mentioned arbitration should be allowed to be used in this action subject to
13 a protective order entered in this case.

14 5. For the reasons discussed above, good cause exists for the Court to enter this
15 stipulated motion.

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2 DATED: September 23, 2020

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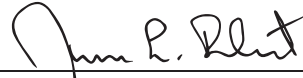
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1 **ORDER**

2 Based on the foregoing stipulation, IT IS SO ORDERED that any information exchanged
3 by Microsoft and Neodron in the above-mentioned arbitration shall be allowed to be used in this
4 litigation.

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6 Dated this 24th day of September, 2020.

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9 The Honorable James L. Robart
United States District Court Judge

10 Presented by:

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1 **CERTIFICATE OF SERVICE**

2 I certify that I will cause the foregoing document(s) to be served on the following parties
3 by the method(s) indicated below.

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DATED this 23rd day of September, 2020.

/s/ T. Andrew Culbert
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