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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

TECHNOLOGY LICENSING CORPORATION, a Nevada corporation,

Plaintiff,

v.

THOMSON, INC., a Delaware Corporation,

Defendant.

) Case No. CIV S-03-1329 WBS PAN

) **JOINT STIPULATION AND [PROPOSED]
ORDER REGARDING APPOINTMENT OF
SPECIAL MASTER FOR PURPOSES OF
CLAIM CONSTRUCTION**

) **JURY TRIAL DEMANDED**

_____ and related counterclaims

Technology Licensing Corporation and Thomson, Inc. (“the parties”), hereby stipulate to the appointment of Gale R. (“Pete”) Peterson of Cox Smith, 112 E. Pecan St., Suite 1800, 16311 Axis Trail San Antonio, Texas 78205 for purposes of claim construction in the above captioned case, pursuant to the terms set forth in the Parties’ Joint Statement Regarding Appointment of Special Master for Purposes of Claim Construction, filed on April 8, 2010 (Dkt. No. 269).

Specifically, the parties stipulate that Mr. Peterson will serve as special master in this case to perform the duties set forth in the Court’s Memorandum and Order (Doc. No. 267), with the modifications proposed herein. The Parties respectfully propose that the scope of the special master’s duties be modified from that stated in the Court’s Memorandum and Order (Doc. No. 267) as follows:

- a. paragraphs 2 and 3 on page 18 be deleted because the parties have reached agreement on the meaning of “video type signal” as used in claims 19 and 25 of the ‘411 Patent;
- b. in paragraph 4 on page 19, change “‘411 patent” to “‘412 patent.”

1 Mr. Peterson's standard hourly rate is \$595. The parties agree to equally split the
2 compensation for Mr. Peterson's services as special master.

3 At this time, the parties cannot identify any circumstances in which the special master may
4 communicate ex parte with the Court or a party.
5

6 Dated: April 13, 2010

Respectfully submitted,

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8 NIRO SCAVONE HALLER AND NIRO

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10 By: /s/ Kara L. Szpondowski
11 Kara L. Szpondowski
12 Attorneys for Plaintiff Technology Licensing
13 Corporation

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15 DUANE MORRIS LLP

16 By: /s/ Richard T. Redano
17 Richard T. Redano
18 Attorneys for Defendant Thomson, Inc.
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ORDER

IT IS HEREBY ORDERED that Gale R. (“Pete”) Peterson will be appointed as special master for purposes of claim construction, pursuant to the parties’ stipulation, and to perform the duties as set forth in the parties’ stipulation.

Dated: April 13, 2010



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE