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 18 **UNITED STATES DISTRICT COURT**  
 19 **NORTHERN DISTRICT OF CALIFORNIA**  
 20 **SAN FRANCISCO DIVISION**

21  
 22 LAM RESEARCH CORPORATION,  
 23 Plaintiff,  
 24 vs.  
 25 SCHUNK SEMICONDUCTOR and XYCARB  
 26 CERAMICS,  
 27 Defendants.

Case No.: 3:03-cv-1335 CRB  
**STIPULATION TO WITHDRAW  
 DEFENDANT'S COUNSEL OF RECORD  
 JOHN E. WAGNER FROM THIS  
 LITIGATION AND TO REMOVE HIM  
 FROM THE ECF SYSTEM; [~~PROPOSED~~]  
 ORDER**  
 Before: The Honorable Charles R. Breyer

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 STIPULATION TO WITHDRAW DEFENDANT'S COUNSEL OF RECORD JOHN E. WAGNER FROM THIS LITIGATION  
 AND TO REMOVE HIM FROM THE ECF SYSTEM

1 Pursuant to Civil Local Rule 7-11(a) which requires that a motion concerning a  
2 miscellaneous administrative matter be accompanied by a stipulation, where possible, and  
3 proposed order, the parties to this action hereby submit as follows:

4 **WHEREAS** Defendants have represented that John E. Wagner was an attorney at the  
5 Law Offices of John E. Wagner in Glendale, California, and was admitted in this Court to  
6 represent Defendants Schunk Semiconductor, allegedly sued erroneously herein, and Xycarb  
7 Ceramics (“Defendants”);

9 **WHEREAS** Defendants have further represented that Mr. Wagner retired during the  
10 pendency of reissue and reexamination proceedings and before they were decided on July 31,  
11 2009 by the Board of Patent Appeals and Interferences of the United States Patent and  
12 Trademark Office;

14 **WHEREAS** Defendants have further represented that since his retirement, Mr. Wagner  
15 has not and does not represent Defendants in this matter;

16 **WHEREAS** Defendants have further represented that Defendants continue to be  
17 represented by counsel at Shaub & Williams LLP, as well as David Rosenbaum of Rosenbaum &  
18 Silvert, P.C., admitted *pro hac vice* in this matter, with Defendants’ full knowledge.

21 The parties to this action, by and through their counsel of record, David R. Shaub, Esq. of  
22 SHAUB & WILLIAMS, LLP, attorneys for Defendants XYCARB CERAMICS and SCHUNK  
23 SEMICONDUCTOR, allegedly sued erroneously herein, and Patrick T. Michael, Esq. of  
24 Winston & Strawn LLP, attorneys for Plaintiff, LAM RESEARCH CORPORATION, hereby  
25 stipulate:  
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28 STIPULATION TO WITHDRAW DEFENDANT’S COUNSEL OF RECORD JOHN E. WAGNER FROM THIS LITIGATION  
AND TO REMOVE HIM FROM THE ECF SYSTEM

1           1.     That John E. Wagner be removed as counsel of record from this litigation and that  
2                   he also be removed from the ECF system.

3           It is further agreed that a facsimile copy of the signature of counsel for Defendants and  
4 Plaintiff on this Stipulation shall be effective as though it is an original and that this Stipulation  
5 may be executed in counterparts.  
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8 **IT IS SO STIPULATED.**

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11 Dated: December 27, 2010

**SHAUB & WILLIAMS LLP**

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13                   s/David R. Shaub/  
14                   David R. Shaub  
15                   Attorneys for Defendants,  
16                   SCHUNK SEMICONDUCTOR and XYCARB  
17                   CERAMICS

18  
19 Dated: December 27, 2010

**WINSTON & STRAWN LLP**

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21                   s/Patrick T. Michael/  
22                   Patrick T. Michael,  
23                   Attorneys for Plaintiff,  
24                   LAM RESEARCH CORPORATION

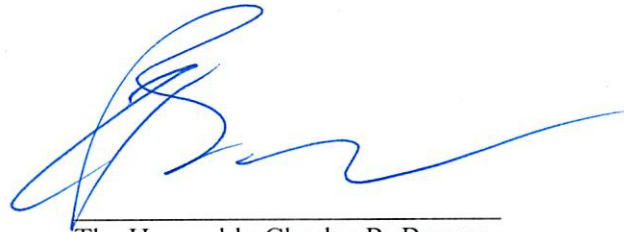
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STIPULATION TO WITHDRAW DEFENDANT'S COUNSEL OF RECORD JOHN E. WAGNER FROM THIS LITIGATION  
AND TO REMOVE HIM FROM THE ECF SYSTEM

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2  
3 **[PROPOSED] ORDER**  
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5 In consideration of the Stipulation entered into between the parties on December 27,  
6 2010, Defendants' Motion to Withdraw Defendants' Counsel of Record John E. Wagner from  
7 this Litigation and to Remove him from the ECF System is hereby granted. John E. Wagner is  
8 ordered to be withdrawn as counsel of record for Defendants in the above-captioned case in the  
9 United States District Court for the Northern District of California. The Clerk of this Court is  
10 directed to effect this change on the Court's docket sheet and in the ECF system in this action.  
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13 **IT IS SO ORDERED.**  
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16 DATED: 12/20, 2010



17 The Honorable Charles R. Breyer  
18 UNITED STATES DISTRICT COURT JUDGE  
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STIPULATION TO WITHDRAW DEFENDANT'S COUNSEL OF RECORD JOHN E. WAGNER FROM THIS LITIGATION  
AND TO REMOVE HIM FROM THE ECF SYSTEM