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Attorneys for Defendants
MICRONICS JAPAN CO. LTD and
MJC ELECTRONICS CORP.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

FORMFACTOR, INC., a Delaware
corporation,

Plaintiff,

v.

MICRONICS JAPAN CO., LTD., a
Japanese corporation; and, MJC
ELECTRONICS CORP., a Delaware
corporation,

Defendants.

Case No. 3:06-CV-07159 JSW

**THIRD STIPULATION RE
CHANGES TO PRE-TRIAL DATES
RELATING TO AN AMENDED
COMPLAINT AND [PROPOSED]
ORDER**

1 Plaintiff FormFactor, Inc. and defendants Micronics Japan Co., Ltd. and MJC
2 Electronics Corp. have been continuing ongoing settlement discussions and believe that
3 they are close to settling the case, but believe that a continuance of certain pretrial dates
4 will be conducive to furthering prospects of settlement. The parties initially stipulated,
5 subject to this Honorable Court's approval, and this Court approved a four week
6 continuance of the time to file a motion to amend the complaint. That stipulation was
7 approved by the Court on May 3, 2010. The parties then continued settlement
8 discussions but required an additional two weeks for settlement discussions and hoped
9 that settlement could be accomplished in that time. That stipulation was approved by
10 the Court on May 27, 2010. The parties have made significant progress toward
11 settlement, but a small number of issues remain to be resolved. The parties, however,
12 expect they will be able to resolve them if given another extension of time. The parties
13 now believe that a continuation of two more weeks will be necessary. Accordingly,
14 pursuant to Civil Local Rule 6-2(a) and 6-1(b), and subject to the approval of this
15 Honorable Court, the parties stipulate to a 14 day further continuance of the dates
16 relating to the filing of a Motion to Amend the complaint and dates related thereto, as
17 follows. Alternatively, the parties request that the Court take the dates for the Motion to
18 Amend off-calendar, and, if the parties have not settled by June 28, 2010, the parties
19 will propose a new schedule by June 30, 2010.

EVENT	Date Set By 5/27/10 Order	Newly Stipulated To Date
FormFactor Files Motion to Amend Complaint	June 14, 2010	June 28, 2010
Defendants' Opposition to Motion to Amend	June 28, 2010	July 12, 2010
FormFactor Reply to Defendants Opposition re Motion to Amend	July 8, 2010	July 22, 2010
Hearing on motion to amend complaint	July 30, 2010	August 13, 2010, or subject to the Court's availability and preference

The extension of time required to file a motion to amend the complaint will also impact the disclosure of asserted claims and preliminary infringement contentions and the dates that follow that disclosure. Accordingly, the parties also request that those dates be modified as follows.

EVENT	Previously Ordered Date (by Order of March 26, 2010)	New Date
Disclosure of Asserted Claims and Preliminary Infringement Contentions – PLR 3-1	Monday, August 02, 2010	Monday, September 27, 2010
Document Production – PLR 3-2	Monday, August 02, 2010	Monday, September 27, 2010
Preliminary Invalidity Contentions PLR 3-1, 3-2	Friday, September 17, 2010	Friday, November 12, 2010
Exchange Proposed Terms And Claim Elements for Claim Construction - PLR 4-1	Friday, September 17, 2010	Friday, November 12, 2010
Meet and Confer re Claim terms – PLR 4-1	Friday, September 24, 2010	Friday, November 19, 2010
Exchange of Preliminary Claim Constructions and Extrinsic Evidence - PLR 4-2	Friday, October 08, 2010	Friday, December 03, 2010

1	Meet and confer re Preliminary Claim Construction - PLR 4-2	Friday, October 22, 2010	Friday, December 17, 2010
2			
3	Joint Claim Construction and Prehearing Statement - PLR 4-3	Tuesday, November 30, 2010	Tuesday, January 25, 2011
4			
5	Claim Construction Opening Brief due - PLR 4-5	Wednesday, December 22, 2010	Wednesday, February 16, 2011
6			
7	Completion of Claim Construction Discovery - PLR 4-4	Friday, December 31, 2010	Friday, February 25, 2011
8			
9	Claim Construction Opposition Brief due - PLR 4-5	Friday, January 21, 2011	Friday, March 18, 2011
10			
11	Claim Construction Reply Brief due - PLR 4-5	Friday, February 11, 2011	Friday, April 08, 2011
12			
13	Fact discovery cutoff	Tuesday, February 22, 2011	Tuesday, April 19, 2011
14	Deadline for joining parties	Tuesday, February 22, 2011	Tuesday, April 19, 2011
15	Claim Construction Tutorial	Tuesday, April 05, 2011	Tuesday, May 31, 2011
16	Claim Construction Hearing - PLR 4-6	Tuesday, April 12, 2011	Tuesday, June 07, 2011

17 Since May 3, 2010, there was a schedule modification on May 27, 2010. Since May
18 27, 2010 there have been no other modifications to the schedule for this case.
19

1 This stipulation is made without prejudice to seek additional orders from the
2 Court, subject to the approval of this Honorable Court.

3
4 Dated: June 11, 2010

/s/ William J. Robinson
William J. Robinson
FOLEY & LARDNER LLP
Attorney for Plaintiff
FORMFACTOR, INC.

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9 Dated: June 11, 2010

/s/ Tamara Fraizer
Tamara Fraizer
FISH & RICHARDSON P.C.
Attorney for Defendants
MICRONICS JAPAN CO., LTD., and MJC
ELECTRONICS CORP.

10
11 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest
12 under penalty of perjury that concurrence in the filing of this document has been
13 obtained from Tamara Fraizer.
14
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17
18 Dated: June 11, 2010

/s/ William J. Robinson
William J. Robinson
FOLEY & LARDNER LLP
Attorney for Plaintiff
FORMFACTOR, INC.

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22 **ORDER**

23 IT IS SO ORDERED.

24 Dated: June 14, 2010


UNITED STATES DISTRICT JUDGE