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 6 NVIDIA CORPORATION

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 BRETT M. JOHNSON, on behalf of
 12 himself and all others similarly situated,

13 Plaintiff,

14 v.

15 NVIDIA CORPORATION; ATI
 16 TECHNOLOGIES, INC.; and
 17 ADVANCED MICRO DEVICES, INC.,

18 Defendants.

Case No. C-06-7712 MJJ

CLASS ACTION

**STIPULATION EXTENDING TIME TO
 RESPOND TO COMPLAINT
 AND ORDER**

JURY TRIAL DEMANDED

19 Plaintiff Brett M. Johnson and Defendants Nvidia Corporation (“Nvidia”), ATI
 20 Technologies, Inc. and Advanced Micro Devices, Inc. (collectively “AMD”) stipulate and agree
 21 as follows to extend the time to respond to the Complaint on file in this action.

22 1. On December 15, 2006, Plaintiff filed the Complaint, which alleges claims under
 23 Section 1 of the Sherman Act, 15 U.S.C. § 1, and under state antitrust and consumer protection
 24 laws. Plaintiff has styled the Complaint as a putative class action.

25 2. As of the date of this Stipulation, at least 14 other complaints have been filed in
 26 this and other judicial districts. All of these complaints also allege federal and/or state law
 27 antitrust claims against Nvidia and AMD and are styled as putative class actions.

1 3. On December 8, 2006, plaintiffs in some of these other actions collectively filed a
2 motion before the Judicial Panel on Multidistrict Litigation ("JPML") to transfer and consolidate
3 in this judicial district all existing and subsequently filed antitrust actions related to the claims
4 alleged in the Complaint. Nvidia and AMD will respond to the motion on the schedule to be set
5 by the JPML.

6 4. On December 14, 2006, pursuant to Local Rule 3-12, the plaintiff in another action
7 (*Juskiewicz v. Nvidia Corp., et al.*, Case No. C-06-7553) filed an "Administrative Motion To
8 Consider Whether Cases Should Be Related" to relate that action to a similar action (*Truong v.*
9 *Nvidia Corp., et al.*, Case No. C-06-7417) filed in this district against Nvidia and AMD.

10 5. In light of the multiplicity of complaints on file and the pending motion before the
11 JPML, the parties agree to extend the time for Nvidia and AMD to answer or otherwise respond
12 to the Complaint to 30 days after (1) the order resolving the JPML motion, and (2) the filing and
13 service of any subsequent consolidated complaint, without prejudice to the right of Nvidia or
14 AMD to seek additional time to answer or otherwise respond to the Complaint for good cause
15 shown.

16 Respectfully submitted,

17 Dated: December 29, 2006

18 COOLEY GODWARD KRONISH LLP

19
20 By: /s/ James Donato
 James Donato (146140)

21 Attorneys for Defendant
22 NVIDIA CORPORATION

23 Dated: December 29, 2006

24 LATHAM & WATKINS LLP

25 By: /s/ Charles H. Samel
 Charles H. Samel (182019)

27 Attorneys for Defendants
28 ATI TECHNOLOGIES, INC. and
ADVANCED MICRO DEVICES, INC.

Dated: December 29, 2006

SCOTT & SCOTT LLP

By: /s/ Arthur L. Shingler III
 Arthur L. Shingler III (181719)

Attorneys for Plaintiff
BRETT M. JOHNSON

1 FILER'S ATTESTATION:

2 Pursuant to General Order No. 45, § X(B) regarding signatures, I attest under penalty of
3 perjury that the concurrence in the filing of this document has been obtained from its signatories.

4 Dated: December 29, 2006

5 By: _____ /s/ James Donato
6 James Donato

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