

1 [COUNSEL LISTED ON SIGNATURE PAGES]

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RIVERBED TECHNOLOGY, INC., a
Delaware corporation,

Counterclaimant,

vs.

QUANTUM CORPORATION, a Delaware
corporation,

Counterdefendant.

CASE NO. C 07-04161 WHA

**STIPULATED MODIFICATION TO
STIPULATED PROTECTIVE ORDER
[DOCKET NO. 31]; AND**

**STIPULATED WITHDRAWAL OF
RIVERBED TECHNOLOGY, INC.'S
MOTION TO MODIFY SECTION 7.5 OF
THE STIPULATED PROTECTIVE
ORDER [DOCKET NO. 193]**

QUANTUM CORPORATION, a Delaware
corporation,

Counterclaimant,

vs.

RIVERBED TECHNOLOGY, INC., a
Delaware corporation,

Counterdefendant.

1 **WHEREAS** Riverbed Technology, Inc. ("Riverbed") and Quantum Corporation
2 ("Quantum") filed a Stipulated Protective Order on December 12, 2007 (Docket No. 31);

3 **WHEREAS** the Court approved the Stipulated Protective Order subject to stated conditions
4 on December 14, 2007 (Docket No. 33);

5 **WHEREAS** Riverbed filed a motion to modify the Stipulated Protective Order on August
6 20, 2008 (Docket No. 193);

7 **WHEREAS** Riverbed filed a stipulated request to shorten time on Riverbed's motion to
8 modify on August 20, 2008 (Docket No. 196);

9 **WHEREAS** the parties have met and conferred and have agreed to modify Paragraph 7.5 of
10 the Stipulated Protective Order to resolve all issues raised in Riverbed's motion to modify (Docket
11 No. 193);

12 **THEREFORE** Riverbed and Quantum, by and through their respective counsel, hereby
13 stipulate and agree to the entry of the following modification to the Stipulated Protective Order and
14 Riverbed agrees to withdraw its motion to modify (Docket No. 193) and the stipulated request to
15 shorten time (Docket No. 196):

16
17 The following language shall be added to Section 7.5(a) of the Protective Order:

18
19 (6) To the extent the Party seeking disclosure of "Highly Confidential —
20 Attorneys' Eyes Only" information or items is unable to provide full disclosure
21 under Section 7.5(a)(1) through (5) of this Protective Order due to an Expert's
22 contractual obligations to any person or entity not involved in the present dispute,
23 the Party seeking disclosure shall so indicate. In such a circumstance, in addition
24 to Executing Exhibit A to this Protective Order, the Expert in question shall sign a
25 declaration stating that, to the best of his or her knowledge, he or she has not
26 received compensation from or provided professional services for any of the
27 Designating Party's competitors within the past five years. If the Designating
28 Party so desires, the Expert in question shall also review a list of the Designated
Party's competitors for the purpose of confirming that he or she has not received
compensation from or provided professional services for said competitors within
the past five years.

1 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

2
3 By his signature below, counsel for Riverbed attests that counsel for Quantum whose
4 electronic signature is provided has concurred in this filing.

5 Dated: August 22, 2008

SHEPPARD MULLIN RICHTER & HAMPTON LLP

6 By: /s/ Nathaniel Bruno

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14 Attorneys for QUANTUM CORPORATION

15 Dated: August 22, 2008

QUINN EMANUEL URQUHART OLIVER & LLP

16 By: /s/ Todd M. Briggs

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21 Attorneys for RIVERBED TECHNOLOGY, INC.

22 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

23
24
25
26 Dated: September 2, 2008

27 Honorable William H. Alsup
United States District Judge

